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AN EARLY DIPLOMATIC CONTROVERSY BETWEEN THE UNITED STATES AND BRAZIL¹

It was two years after the United States formally declared for the recognition of the new Hispanic American states and after several Spanish American states had been recognized before the question of recognizing Brazil arose. When in April, 1824, Rebello presented himself in Washington as the Brazilian chargé, a difference of opinion arose in Monroe's cabinet because Brazil was a monarchy while all of the other American governments were republics, and some hoped that monarchy might have no foothold on the continent. Others, however, advocated the recognition of Brazil the more strongly because it was a monarchy in order to show the world that it was the fact of independence which actuated the United States rather than the form of government. The opposition to recognition was strengthened by recent news of a formidable separatist movement in the north with Pernambuco as a center, the purpose of which was to establish an independent republic under the name of the Federation of the Equator. This raised a serious doubt whether the government at Rio de Janeiro were really in effec-

¹ Read before the American Historical Association, at Philadelphia, December 29, 1917. Because of its diplomatic, as well as historical, interest, this paper* is being published also in *The American Journal of International Law*.

tive control. It was reported, too, that the assistance of French naval vessels had been accepted in order to repress the Pernambuco revolt. This conjured up the spectre of the so-called Holy Alliance, for the exclusion of which from America Monroe's famous message of the preceding December had declared. There was also a strong suspicion supported by persistent rumors that Dom Pedro (who had allowed himself to be made Emperor when in 1822 Brazilian independence from Portugal was declared, who had summoned a constituent assembly and then quarreled with it and finally forcibly dismissed it because it proved too liberal to suit his ideas of prerogative, and who had appointed a council that had drawn up a fairly liberal constitution in harmony with his wishes which he had not yet taken the oath to observe), really wished to restore Portuguese sovereignty and rule Brazil as a vassal of his father, the king of Portugal. About the middle of May, however, word came that in the preceding March the emperor had taken the oath to the constitution of the independent Brazilian empire. After Rebello had given assurances concerning the suppression of the slave trade and the observance of treaties that had been negotiated with Portugal, he was formally received by President Monroe as Brazilian chargé, on May 26, 1824. He expressed his gratitude that "the government of the United States has been the first to acknowledge the independence of Brazil."²

This was the beginning of what for a time promised to be very cordial relations between the two powers. On the occasion of his presentation, Rebello had suggested a "concert of American powers to sustain the general system of American independence." In January of the next year, before the mother country had yet recognized the independence of Brazil, he proposed formally that the United States should enter into an alliance with Brazil to sustain the latter's independence in case Portugal should be assisted by any other power in an attempt to restore her former sway over Brazil. He suggested that in certain contingencies the Spanish American countries might be in-

² C. F. Adams, *Memoirs of John Quincy Adams*, VI. 280, 281, 283, 285, 308, 311, 314, 317, 328, 354, 358.

vited to adhere to the proposed alliance to protect them against a similar danger.³ This very early proposal of a Pan American league is interesting and the United States reply to it is significant as being an early interpretation of the Monroe Doctrine. The proposal was made only a few weeks before the close of the Monroe administration and was not answered until shortly after the Adams administration had taken control, when Henry Clay, the secretary of state, and enthusiastic advocate of the cause of South American independence, replied that, while the president adhered to the principles set forth in the message of his predecessor of December 2, 1823, the prospect of a speedy peace between Portugal and Brazil seemed to make such an alliance unnecessary; but, he said, if there should be a renewal of demonstrations on the part of the European allies against the independence of the American states, the president would give to that condition of things every consideration which its importance would undoubtedly demand. This did not promise anything definite, yet it could be legitimately interpreted to mean that in case the contemplated emergency should arise the executive department would be disposed, so far as it was able, to assist the new states in maintaining their independence; but, Clay explained, the executive department could not bind the United States government to support the policy, nor could it act alone, since to engage in war to support the independence of the new countries would require the consent of Congress.⁴

When the question of the recognition of Brazil by the formal reception of her chargé, Rebello, was pending, Adams, then secretary of state, said it would be advisable to appoint, at the same time, or very soon thereafter, a chargé to represent the United States at Rio de Janeiro; and suggested that the appointment be conferred on Condé Raguet, a wealthy merchant, editor, author, and political economist of Philadelphia, who

³ *Ibid.*, VI. 358, 475.

⁴ W. S. Robertson, "South America and the Monroe Doctrine," *Political Science Quarterly*, XXX. 82-105; Wm. R. Manning, "Statements, Interpretations, and Applications of the Monroe Doctrine, etc., 1823-1845," *Proceedings of the American Society of International Law*, 1914, p. 35.

since 1822 had been residing at Rio de Janeiro as commercial agent, or consul, of the United States. President Monroe, however, thought the appointment might be deferred; and did not make it before the end of his administration, in spite of the fact that Rebello had manifested an earnest desire that the post should be filled in order to complete the diplomatic relations between the two countries. Among the many diplomatic appointments sent to the Senate immediately after the beginning of the Adams administration, March, 1825, was that of "Condé Raguet of Pennsylvania, chargé d'affaires to Brazil." His instructions were prepared in April.⁵

When Raguet's promotion and instructions reached him, troubled days were approaching for the new government to which he was thus accredited; and its troubles were destined to involve him in serious trouble because of his new and more responsible position. All of these troubles grew out of a war in which Brazil found herself engaged with the United Provinces of the Rio de la Plata, or Argentina, over their conflicting interests in that region which emerged from the war about three years later as the independent republic of Uruguay, because of which fact this is usually spoken of as the War for Uruguayan Independence. This quarrel over the Banda Oriental, or Eastern Province, as it had been known in Spanish colonial history, was inherited from the mother countries. The boundary line between the Portuguese dominions in Brazil and the Spanish possessions in the Rio de la Plata region had never been settled although there had been many conflicts and many attempts at settlement throughout the colonial age, but especially during the last century, the eighteenth. For a few years after the beginning of the general Spanish American revolution in 1810, Montevideo, the principal center of Spanish authority in the Banda Oriental, remained faithful to the mother country in spite of repeated and sustained efforts of the revolutionary government at Buenos Aires to revolutionize and dominate it. Finally in 1814, under the leadership of Artigas, a native of the province, with the assistance of Buenos Airean troops, the last

⁵ Adams, *Memoirs of John Quincy Adams*, VI. 475, 520, 530.

remnant of Spanish authority was overthrown. Artigas insisted, however, that the region should not be subjected to Buenos Aires and forcibly resisted the determined efforts of that city to control it. The Portuguese court at Rio de Janeiro still claimed the region as its Cisplatine Province and hoped to get peaceable possession by taking advantage of the rivalries between the Spanish factions. But Artigas was as determined to maintain independence of Portugal as of Spain or Buenos Aires. Apprehensive of an attack he unwisely invaded neighboring Portuguese territory. The Portuguese retaliated, repeatedly defeated him and finally in 1820 he fled to Paraguay, leaving them in control. In 1821 a special congress was convened at Montevideo under Portuguese authority, composed of representatives from all of the Cisplatine Province, which declared the region incorporated in the Portuguese dominions of Brazil. When in the following year the independent Brazilian empire was proclaimed it incorporated the Cisplatine Province and retained peaceable possession for three years.⁶ So little opposition was there to Brazilian rule that the actual government was left largely in the hands of natives of the province who administered affairs in the name of Brazil. The government at Buenos Aires, however, never yielded its claim, and made repeated attempts to reach by negotiation a settlement of the conflicting claims in such a manner that the region might become a part of the United Provinces. A little after the middle of 1823, a special Buenos Airean Commission went to the Brazilian court, and presented a series of notes making propositions for a settlement that would be acceptable to Buenos Aires. No response having been made a reply was demanded in February, 1824. The reply which was given on the day following the demand was a long, courteous, but firm statement of the Brazilian claim and Brazilian rights, and concluded with the declaration: "Therefore on these important considerations, the government of His Imperial Majesty cannot enter with Buenos Aires on a negotiation, which has for its fundamental basis the cession of the Cisplatine State, the

⁶ "Manifeste de la Cour de Rio de Janeiro, . . . 10 Décembre," 1825, *British and Foreign State Papers*, XIII. 775-783.

inhabitants of which it cannot abandon." The special commission returned and reported its failure to the government at Buenos Aires; and conditions remained in statu quo for about another year.⁷

When, early in 1825, news reached Buenos Aires of the crushing defeat of the last important Spanish army in Peru near the end of the preceding year, a number of Uruguayan refugees residing in that city determined to free their native province from the rule of the Brazilian emperor or perish in the attempt. Under the leadership of La Valleja, they organized the famous band of adventurers immortalized in Uruguayan history as the "Treinta y Tres," or Thirty-Three. Of this army of thirty-three, fifteen were officers and eighteen privates. Of course they expected to recruit a real army from their compatriots in Uruguay; and they succeeded. Even Rivera, the Uruguayan who had been the chief executive of the province in the name of Brazil, joined the rebels. Most other officials followed his example, nearly the whole of the province being quickly lost except Montevideo, the capital and chief port, which was held by the assistance of the war ships in the harbor.

Because the evidences of official support from the government of Buenos Aires were so strong, a Brazilian admiral with a naval force appeared before Buenos Aires in July, 1825, and demanded explanations as a measure short of war. The Argentine authorities protested against the attempt of Brazil to fortify the pen of the negotiator with the guns of an admiral. Several notes were exchanged and finally the Argentine government declared negotiations closed. The Brazilian admiral returned to report to his government the failure of his mission. In October, the Brazilian foreign minister addressed a long argumentative protest to the corresponding official at Buenos Aires demanding that the latter government cease what appeared to the former as warlike preparations and also disavow all connection with Brazil's Cisplatine insurgents. The Argentine reply was a formal declaration that the Banda Oriental was reincorporated in the territory of the United Provinces of the

⁷ *Ibid.*, XIII. 748-766.

Rio de la Plata, and that the government of the latter would protect it. On December 10, Brazil issued a declaration of war against Argentina and, eleven days later, declared all the ports of the republic in a state of blockade. The Buenos Airean declaration of war was followed by a decree authorizing privateers to prey on Brazilian commerce.⁸

The disastrous influence which the Brazilian blockade of the Argentine ports was bound to have on the already considerable, and rapidly growing, trade to them from the United States led Raguet, the recently appointed chargé of the United States at Rio de Janeiro, to do everything he could to modify its rigor. Even before the declaration of war, notification of the blockade was addressed to him and to the British representative.⁹ Raguet was asked to inform his government and its citizens who were engaged in commerce to the Buenos Airean republic. A few days thereafter he addressed a lengthy communication to the Brazilian foreign minister explaining the views of his government concerning the validity and invalidity of blockades. In two respects the Brazilian blockade, as announced, failed to conform to those principles, and hence could not be recognized as valid. In the first place the United States held that a blockade in order to be valid must be effective. That is, no port could be considered blockaded unless there was actually a sufficient blockading force before it to prevent access to it. It was manifestly impossible for Brazil to maintain a sufficient force before all ports of the Argentine Republic to actually prevent ingress and egress. Not only the United States, but also many other nations, held this view—one destined to be almost universally recognized later. In the second place, the United States denied the validity of general or diplomatic notifications alone and insisted that each vessel, on approaching a blockaded port, must be warned that it is blockaded and must not be seized as a

⁸ *Ibid.*, XIII. 767-785.

⁹ For the British notification, see *ibid.*, XIII. 785. For the notification to Raguet, see S. Amaro to Raguet, December 6, and same to same, December 7, 1825, *American State Papers, Foreign Relations*, VI. 1025, or *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 14, 15.

prize unless it attempts to run the blockade after being warned—a principle by no means so generally recognized, and subsequently practically abandoned because of changed conditions due to rapid communication of news. He explained many other principles adhered to by his government, frankly admitting that they favored neutrals rather than belligerents, although they did not defeat any legitimate purpose of a blockade; and he argued that it was to the interest of Brazil as well as other new American nations to uphold the more liberal principles, since they were sure to find their greatest opportunity for development in the field of peace and commerce like the United States rather than in war like many European nations.¹⁰ The United States chargé at Buenos Aires entered into communication with the Brazilian admiral of the blockading squadron and asserted the same principles as Raguet.¹¹ Several United States naval vessels were sent to cruise along the coasts of Brazil and Argentina to protect United States merchants and citizens. The commanders of these vessels maintained a lively correspondence for many months with the Brazilian admiral, urging the adoption of their government's views. Finally the Brazilian authorities agreed to modify the blockade to the extent of confining it to the ports actually within the Rio de la Plata, but not to the two or three principal ports for which the United States diplomatic, consular, and naval representatives had so long and ably contended, and which alone might have been effectively blockaded.¹²

The principle that the individual ship should receive warning and not be liable to capture unless it thereafter tried to violate

¹⁰ Raguet to Minister of Foreign Affairs, December 13, 1825, *ibid.*, p. 9, or *American State Papers, Foreign Relations*, VI. 278, or 1023.

¹¹ Forbes to Admiral Lobo, February 13, 1826, *ibid.*, VI. 281, or *British and Foreign State Papers*, XIII. 822.

¹² Elliott to Raguet, March 14, 1826, *American State Papers, Foreign Relations*, VI. 277; Elliott to Secretary of the Navy, March 18, 1826, *ibid.* f; Elliott to Bond, April 1, 1826, *ibid.*, VI. 288; Elliott to Admiral Lobo, April 3, 1826, *ibid.*, VI. 284 or *British and Foreign State Papers*, XIII. 824; Lobo to Elliott, April 6, 1826, *ibid.*, XIII. 827, or *American State Papers, Foreign Relations*, VI. 285; and many other letters in subsequent pages of one or both works.

the blockade was as vigorously contended for, but with less success, although something was conceded in this regard also. At first all ships were seized whether they had or could have had knowledge of the blockade or not and whether they were trying to enter a blockaded port or were on the high seas, if it appeared on examination that they had any intention under any contingency of approaching a blockaded port. Finally, the Brazilian authorities agreed that no vessels should be detained unless they were found attempting to enter a blockaded port; and many ships were actually allowed to go after having had a warning entered on their registers, although the Brazilians refused to concede this as a right.¹³

One of the greatest difficulties with which Raguet and the other United States representatives had to contend was the fact that England did not support either of these two important contentions of the United States. On the contrary, correspondence with English representatives shown to the United States chargé expressly declared that the maintenance of an effective force on the spot was not necessary in order to render the blockade valid and make the seizure of vessels bound for nominally blockaded ports legal; and this correspondence also asserted that the declaration of the blockade and the general or diplomatic notification were all that were needed, and that thereafter any ship was liable to capture without warning if it had knowledge of the existence of the blockade and showed any evidence that it intended to approach the blockaded port.¹⁴ English merchants were suffering as much as those from the United States but were receiving far less support from the diplomatic and consular representatives of their government.

¹³ Elliott to Secretary of Navy, May 5, 1826, *American State Papers, Foreign Relations*, VI. 283; Raguet to Minister of Foreign Affairs, November 14, 1826, *ibid.*, VI. 1047, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 65; Minister of Marine to Admiral Da Prata. November 29, 1826, *ibid.*, p. 74, or *American State Papers, Foreign Relations*, VI. 1051; Raguet to Minister of Foreign Affairs, November 30, 1826, *ibid.*, VI. 1048, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 67; and many other documents in subsequent pages of both publications.

¹⁴ Raguet to Clay, June 27, 1826, *American State Papers, Foreign Relations*, VI. 1028, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 21.

Another Brazilian practice against which Raguet frequently and vigorously protested was what he and the commanders of the United States naval vessels, who seconded his efforts, called the impressment of seamen from United States merchant vessels into the service of Brazilian war ships. By employing fraud or deceit or intoxication the unwary seamen were frequently enticed on board Brazilian naval vessels and persuaded or frightened or forced to enter the Brazilian service. Some who had gone on vessels built in the United States and sold to the Brazilian government, finding themselves without employment, had entered voluntarily and then after the expiration of their period of enlistment were detained. Such seamen frequently requested the representatives of their government to secure their release. As such cases multiplied, the patience of Raguet became more and more exhausted and his reclamations and protests became more vigorous. The replies of the government usually promised to investigate and if conditions were found as represented promised that the seamen should be released. When United States merchant vessels were detained under charges of violating or attempting or intending to violate, the blockade, most of the seamen, instead of being left on board their own vessels under the supervision of the prize crews, as Raguet insisted they should be, were removed to the capturing vessel and sometimes inveigled into the Brazilian service, sometimes placed on Brazilian prison ships, and sometimes detained on shore under virtual if not actual imprisonment. They were often deprived of their personal property, their clothing and bedding, and placed in unsanitary, uncomfortable, and criminal surroundings. Bodily punishment was sometimes inflicted on them. Sometimes it turned out that their cases had been misrepresented to Raguet and that they were really prisoners of war taken from Buenos Airean cruisers, many of them built in the United States and manned and commanded by United States citizens under Buenos Airean commissions. Under these circumstances it is not strange that both reclamations and responses were couched in vigorous language, and that relations grew more and more strained. In one case the commander of one of the United

States naval vessels had sent a force and demanded two seamen under circumstances which made it appear that he intended to take them by force if his demand were not complied with, though he later explained that he would not have done so. They were surrendered without resistance. But the foreign minister took up the matter with Raguet, who had apparently been privy to the plan, and demanded the return of the seamen until the pending investigation should show whether they were properly or improperly detained. But they were not returned.¹⁵ Finally, orders were given by the Brazilian admiral that all Brazilian ships having on board any United States seamen who had entered involuntarily or were detained beyond their period of enlistment should be brought in and surrendered.¹⁶ But even this did not end the disputes concerning impressment and mistreatment of seamen.

In October, 1826, after a number of Raguet's earlier and less strenuous notes, protests, and reclamations had reached Washington, Clay wrote that the president approved his zealous exertions to prevent an abuse of the blockade privileges, referred him to earlier correspondence with European governments in which the United States had upheld the principles which Raguet was defending, and exhorted him to insist at all times on these principles and remonstrate against their violation.¹⁷ This instruction from his superior strengthened the already stiffening dip-

¹⁵ Raguet to Minister of Foreign Affairs, June 20, 1826, *American State Papers, Foreign Affairs*, VI. 1029, or, *House Executive Documents*, 20th congress, 1st sess., no. 281, 23; Minister of Foreign Affairs to Raguet, June 28, 1826, *ibid.*, p. 23, or *American State Papers, Foreign Affairs*, VI. 1029. See also the following documents in the subsequent pages of one or both publications: Hoffmann to Biddle, August 26, 1826; Raguet to Clay, October 2 and October 31, 1826; Biddle to Admiral Pinto Guedes [Da Prata], January 3, 1827; Deposition of Jesse Powell before Consul Bond, January 13, 1827; Biddle to Pinto Guedes, January 14, 1827; Da Prata [Pinto Guedes] to Biddle, January 14, 1827; Biddle to Pinto Guedes, January 22, 1827; Da Prata to Biddle, January 23, 1827; and many others.

¹⁶ Order of Da Prata, January 25, 1827, *American State Papers, Foreign Relations*, VI. 1081, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 141; Da Prata to Biddle, January 27, 1827, *ibid.*, p. 140, or *American State Papers, Foreign Relations*, VI. 1081.

¹⁷ Clay to Raguet, October 22, 1826, *ibid.*, VI. 1051, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 74.

lomatic backbone of Raguet, and his notes to the Brazilian government grew more vigorous and undiplomatic. Before Clay's approval had been written, Raguet declared to Clay that his patience was exhausted, reviewed the continuous record of wrongs and indignities which he had been sending to the department of state during his four years' residence at Rio de Janeiro, and suggested the advisability of bringing the relations with Brazil before Congress in the president's annual message, saying he thought that would have a good effect. He asked authority to demand the immediate restoration of all vessels which had been detained in violation of the principles for which the United States contended; and, in case the demand should not be complied with, he asked consent to demand his passports, saying that he felt sure Brazil would yield for fear the protest of the United States would strengthen the cause of Buenos Aires.¹⁸ In his annual message, President Adams did mention in mild language the great irregularities among the Brazilian naval officers, "by whom principles in relation to blockades and to neutral navigation have been brought forward to which we cannot subscribe". He believed that the just reparation which had been demanded would not be withheld.¹⁹

Between the time of Raguet's request for more vigorous instructions and his receipt of Clay's approval, which was followed a little later by news of the president's message, causes of complaint multiplied rapidly. Many vessels had been detained and few had been either condemned or released. Judicial procedure was unaccountably, and he thought, inexcusably and intentionally delayed. To review the cases of the individual ships and individual seamen which called for protests and reclamations by him and the commanders of the United States naval vessels, and furnished occasions for numerous lengthy replies, explanations, and defenses by Brazilian ministers and admirals would require scores of pages. It is surprising to see the breadth

¹⁸ Raguet to Clay, September 23, 1826, *ibid.*, p. 30, or *American State Papers, Foreign Relations*, VI. 1032.

¹⁹ Adams's Annual Message to Congress, December 5, 1826, *American State Papers, Foreign Relations*, VI. 212.

of the knowledge of international law and the wide familiarity with the classic authorities and great judicial decisions in that interesting field of study displayed on both sides of the wordy controversies.²⁰ Raguet's impatience got the better of his judgment. To one of the Brazilian foreign minister's polite but unsatisfactory replies to Raguet's vigorous denunciations, the former appended a regret at the acrimonious language of the latter and expressed a hope that in the future he would use more moderation.²¹ On the same day, Raguet wrote Clay that his patience was exhausted and that he hardly considered the Brazilians a civilized people. He said they had taken great offense at his communications and he would not be surprised if they should refuse to receive them. In such an event he would leave the country.²²

An entirely new weapon had been employed by the Brazilian authorities to prevent neutral vessels from running the blockade. So many had obtained clearances from Brazilian ports and then gone to Buenos Aires and carried supplies, sometimes of Brazilian origin, that the local authorities of Montevideo had adopted the practice of requiring all merchant ships clearing from that port, whatever their destination might be, to give bond equal to the value of the ship and cargo not to visit any of the ports of the Buenos Airean republic. This invention was approved by the superior authorities at Rio de Janeiro and later increased to twice the value. This was a great hardship on United States merchant vessels since the captains and supercargoes frequently were unacquainted with any one in the Brazilian ports and hence could not give the bonds, so had to lie in port indefinitely. Raguet and the United States naval commanders protested, at first feebly and then more vigorously and acrimoniously. Ulti-

²⁰ See numerous documents in *American State Papers, Foreign Relations*, VI. 289-293, and 1026-1121, *passim*, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 18-232, *passim*.

²¹ Minister of Foreign Affairs, to Raguet, October 31, 1826, *ibid.*, p. 63, or *American State Papers, Foreign Affairs*, VI. 1046.

²² Raguet to Clay, October 31, 1826, *ibid.*, VI. 1042, or *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 53.

mately the requirement was suspended so far as it affected United States shipping.²³

The inefficiency of the blockade had from the beginning given color to Raguet's complaints of its illegality. Early in 1826, he wrote Clay that no ship with a knowledge of the existence of the blockade had failed to find its way into Buenos Aires if it chose to enter. Those stopped and warned off, he said, were all ordered to Montevideo, in order no doubt to be forced to give bond or remain in port. The Brazilian Admiral Lobo, first in command of the blockading squadron, was superseded by Admiral Pinto Guedes (whose title was Baron do Rio da Prata) because, Raguet thought, the former had not been as vigorous in enforcing the blockade as the authorities at Rio de Janeiro wished him to be.²⁴ Admiral Brown, in command of the Buenos Airean squadron, often kept the Brazilian admirals too busy to permit them to attend to the matter of the blockade. It was frequently urged that "If the blockading force be withdrawn for any cause other than distress [*sic*] of weather, or if it appears that vessels have frequently entered and departed, the party accused has the right of acquittal."²⁵ In December, 1827, Biddle of the United States naval patrol told the Brazilian admiral it

²³ Ibid., p. 138 and subsequent pages, or *American State Papers, Foreign Relations*, VI. 291 and 1080 and pages following each.

²⁴ Raguet to Clay, April 12, 1826, *House Executive Documents*, 20th congress, 1st sess., no. 281, p. 20, or, *American State Papers, Foreign Relations*, VI. 1027. It is interesting to notice that the second admiral appears under four or five different names in the documents. Sometimes he is mentioned as Admiral Pinto; other times, as Admiral Guedes. In the present paper, as has been seen in earlier footnotes, both names are used, and, where confusion is likely, the abbreviated title. He always signed by his title in Portuguese—Baron do Rio da Prata—and the translations of his letters copied the title without translating. But the copies of letters addressed to him have the title partly translated into English and partly into Spanish and partly elided—Baron of the La Plata. Strange to say neither of the two possible all-English forms have been encountered—Baron of the River Plate, or Baron of the River of Silver.

²⁵ Raguet to Clay, May 25, 1826, *ibid.*, VI. 1028, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 21; Biddle to Pinto Guedes, [Da Prata] April 19, 1827, *ibid.*, p. 154, or, *American State Papers, Foreign Relations*, VI. 1087, and same to same, April 22, 1827, pp. 158 and 1089 of the volumes cited, respectively; Da Prata [Pinto Guedes], to Biddle, April 23, 1827, pp. 160 and 1089 of the volumes cited.

was an accepted principle that if the vigilance of the blockading fleet is released so as to render ingress and egress comparatively easy and safe the blockade is invalid, and declared that far more vessels entered Buenos Aires without capture than were captured. He expressed a hope that the admiral would see fit to release the vessels captured rather than incur the penalty for illegal capture.²⁶ Pinto Guedes replied, with some justice, that Biddle was availing himself of the arms of generosity to offend the generous; and that in comparing the number of those captured and those that entered blockaded ports all of those warned away should be counted with the former, since they would have been captured if the generosity of the Brazilian government had not induced it to concede to the United States a privilege which it did not recognize as established in international law.²⁷ Another practice was strenuously objected to. The United States representatives learned that certain Brazilian vessels had been licensed to carry goods to a certain port of the United Provinces, thus violating the blockade by express permission of the blockading power. In case a certain captured vessel should be detained and brought to trial, Biddle declared that he would contest the legality of the capture on the three following counts: "1st, the order . . . exacting . . . bonds conditioned not to enter a blockaded port, thereby admitting that the force employed had not been able to maintain the blockade; 2d, a list of vessels under the Brazilian flag, licensed by the Brazilian authorities to trade with one of the blockaded ports, thus raising the blockade as to its own subjects while keeping it on as to neutrals; 3d, a list of vessels, both of commerce and of war, which have entered and departed the ports of Buenos Aires, the number of which is so large as to prove that the danger from the blockading squadron is not such as the law of nations requires, in order to constitute a blockade".²⁸

²⁶ Biddle to Pinto Guedes [Da Prata], December 13, 1827, *American State Papers, Foreign Relations*, VI. 1105, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 194.

²⁷ Da Prata to Biddle, December 14, 1827, *ibid.*, p. 196, or, *American State Papers, Foreign Relations*, VI. 1105.

²⁸ Biddle to Pinto Guedes [Da Prata], January 25, 1828, *ibid.*, VI. 1111, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 209.

Early in 1827, Raguet reported a prospect for happier relations. A new minister for foreign affairs had succeeded the one who Raguet thought was largely responsible for the delays. The new minister replied in quick succession to several letters, which had for considerable time remained unanswered, and showed a conciliatory attitude. He said that the emperor expected to relax the rigor of the blockade. A few days later, in an enthusiastic letter to Clay, Raguet declared that several vessels recently captured and sent in had been at once released, and that seamen were receiving courteous and considerate treatment; and he believed an era of happy relations was dawning. A few days after this change for the better had begun, a copy of the president's message of December 5, 1826, referred to above, arrived and, Raguet said, created a sensation. Some took it to mean war with the United States unless concessions were made. He had been told that the emperor had told the foreign minister that the differences with the United States must be settled. All interested in neutral commerce welcomed the president's declarations, even the English merchants, who received little support from their government. At about the same time, Biddle was reporting from Montevideo that the blockade was then being conducted in such a way as to leave no room for complaint.²⁹

But the happy relations of January and February, 1827, were only the calm preceding a storm which broke in March, on the 12th of which month Raguet wrote that it became his painful duty to report "that one of the most deliberate and high handed insults against our flag and national honor has recently been committed by the express orders of this government". He thought the insult had been deliberately arranged many days beforehand when professions of friendship for the United States were being made. The *Spark*, which had formerly been a

²⁹ Minister of Foreign Affairs to Raguet, January 18, 1827, and two other letters from same to same on same day, Biddle to Secretary of the Navy, January 24, 1827, and Raguet to Clay, February 7, 1827, *American State Papers, Foreign Relations*, VI. 1054, 1057, 1058, 1074, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 80, 88, 90, 126.

United States war-ship, had reached Rio de Janeiro on January 27 and had been offered for sale to the Brazilian government. That government refused to purchase the vessel but did wish to buy her guns, of which there were ten on board although her clearance called for but four. The captain was informed that he would not be permitted to depart with these extra guns, and after consulting with Raguet he landed them. With the rest of its equipment he cleared for Montevideo on March 4. After reaching the open ocean, the vessel was stopped by a Brazilian man-of-war, manned by a prize crew, and brought back into the harbor amid the plaudits of the populace, who hailed the capturing vessel as a victor. The officers and crew of the *Spark* were confined, taunted with being pirates, and mistreated, and the captors even offered their share of the prize proceeds for sale so confident were they that she would be condemned. Raguet demanded of the minister of foreign affairs an explanation of such conduct. At almost the same time, a demand came to him for an explanation of the irregularities which the Brazilian government claimed to have discovered in the character and conduct of the *Spark*. This vessel, true to its name, was the "spark" which fired the long train of Raguet's explosive diplomatic communications. The Brazilian ministers suspected or, as Raguet said, pretended to suspect that she was a privateer on her way to enter the Buenos-Airean service. In addition to the fact of having brought to Rio de Janeiro the extra guns, which she had been compelled to leave, the Brazilian government discovered, after her departure, it was claimed, that the *Spark* had doubled the number of her seamen before departure. To the Brazilian demand, Raguet replied brusquely that had explanations been asked before the departure of the *Spark* he "would most cheerfully have lent his aid in causing those suspicions to be removed. In the present state of the affair, however, he declines giving any explanations". The foreign minister tried to convince Raguet of the correctness with which the minister of marine had acted in arresting the *Spark* and to

persuade him that there was no intention of interrupting friendly relations with the United States. It was in the hope of avoiding the necessity for a judicial investigation, he concluded, that "the undersigned addressed to him a note which has drawn from him a negative and rude reply". Before the foreign minister's explanation and mild reproof had reached Raguet, even the day before it had been written, the latter addressed another curt note to the former saying "that recent occurrences induce him to withdraw from the court of Brazil, and he therefore requests that his excellency will furnish him with the necessary passports." A reply came promptly saying that the emperor was surprised at Raguet's precipitous request for his passports "couched in abrupt and vague language" without explanation of reasons; but, he had ordered the passports to be delivered, and Raguet would be answerable to his own government for the consequences. In his explanations to Clay, Raguet said the real motive of the government was its fear that the ship would be sold at Buenos Aires and its determination to prevent her acquisition by Brazil's enemy. The minister of marine had declared that the vessel would not be permitted to depart with more seamen than she brought nor without giving bond that she would not be sold to the enemy. Rather than comply with these conditions the captain decided to abandon the ship to the Brazilian government. The increases in the number of seamen he declared to be necessary because it required many more to man a vessel in the rough waters of the Rio de la Plata or around the Horn than in the calm equatorial seas north of Rio de Janeiro. In concluding his apology to the government at Washington, Raguet declared: "So strong and decided a measure as the one which I adopted as the *ultimo ratio* of a people which sincerely desires to preserve the relations of peace with all the world upon honorable terms could not, as you may suppose, have been regarded by myself or others as an unimportant act. I am aware that I have taken upon myself a responsibility of no ordinary character, and am prepared to meet all

the consequences, even though one of them should be my being offered up as a sacrifice at the altar of public good".³⁰

As copies of Raguet's increasingly acrimonious notes to the court at Rio de Janeiro came to the department of state at Washington, and long before the exploding point was reached, Clay and Adams concluded that it was necessary to restrain him. On January 20, 1827, Clay wrote him that the perusal of parts of his despatches had "occasioned the president the most lively regret". While the commerce of the United States had undoubtedly been subjected to serious annoyances by the Brazilian blockade, redress ought to be sought, he said, in "language firm and decisive, but at the same time temperate and respectful. No cause is ever benefited by the manifestation of passion, or by the use of harsh and uncourteous language". The case of the *Ruth*, one of the vessels against the Brazilian treatment of which Raguet had remonstrated vigorously, was, Clay continued, deserving of his zeal; but the president believed it would have been better "to have abstained from the use of some of the language which you employed. . . . No nation claiming to be civilized and Christian can patiently hear itself threatened to be characterized as an uncivilized people". The president made great allowances, "but he would have been better satisfied if you had never allowed yourself to employ, in your intercourse and correspondence with the Brazilian government, provoking or irritating expressions". Concerning Raguet's expressed belief that the court at Rio de Janeiro might decline further communication with him because of his language, Clay said: "The president hopes that such will not be the termination of your mission; and he desires that you should, in future, whilst you assert with dignity, decision, and promptitude, all our rights, carefully avoid any just dissatisfaction in the particular which it has been my painful duty to call to your attention". Concerning Raguet's request, previously mentioned, for instructions to

³⁰ Raguet to Minister of Foreign Affairs, March 5, 7, and 8, 1827, Minister of Foreign Affairs to Raguet, March 7, 9, and 10, 1827, Raguet to Clay, March 12 and 17, 1827, *American State Papers, Foreign Relations*, VI. 1061-1066, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 96-108.

demand the release of vessels under a threat of severing diplomatic relations, Clay told him: "With respect to the nature of instructions which may be sent to you, and of orders to the commanders of our public vessels, that must rest with the president, where the constitution has placed it. If those instructions or orders do not correspond in all respects with your wishes or expectations, you must recollect that he is enabled, at this distance, to take a calmer view of things than you are; that we have relations with other nations besides those which exist with the Brazils; and that, even if we had not, war or threats of war ought not to be employed as instruments of redress until after the failure of every peaceful experiment".³¹

This reproof reached Raguet too late to prevent the rupture. When, in May, news reached Washington of his demanding and obtaining his passports, President Adams entered in his private diary: "He appears to have been too hasty in his proceedings, and has made us much trouble, from which we can derive neither credit nor profit". After he and Clay had gone over the correspondence he declared: "We concurred in the opinion that Raguet could not be sustained".³² Rebello, the Brazilian chargé at Washington, hastened to say that he hoped the United States government would disapprove the conduct of Raguet and that a new representative might be appointed soon to adjust the pending disputes. Clay's reply did not express disapproval but said that Raguet's act was personal and that relations at Washington had not been interrupted by it. He said the president regretted that reparation had not been made for Brazil's frequent illegal interference with the commerce of the United States, and would have been pleased to receive from Rebello a proposal for a settlement. A new representative to Rio de Janeiro would be appointed provided Rebello would give assurance that he would receive the consideration due to his official character and that a prompt and satisfactory arrangement would be made concerning the pending disputes. In his reply

³¹ Clay to Raguet, January 20, 1827, *ibid.*, p. 108, or, *American State Papers, Foreign Relations*, VI. 1066.

³² Adams, *Memoirs of John Quincy Adams*, VII. 270, 272.

of the next day, Rebello said he felt himself authorized to say that indemnity would be promptly afforded for injuries contrary to public law. William Tudor was appointed, went to Rio de Janeiro, and, Adams says later, "negotiated an excellent treaty of commerce with Brazil, and obtained indemnity for numerous injuries committed by Brazilian officers during their war with Buenos Aires, which had been much aggravated by the rashness and intemperance of Condé Raguet, . . . [who had] brought this country and Brazil to the very verge of war".³³ Until the end of the war in 1828 the causes of complaint, however, continued to accumulate.³⁴

There were causes of complaint and also intemperate language coming from the other side, too. Many vessels fitted out in the United States, manned and commanded by citizens of the United States, had obtained from the government at Buenos Aires commissions as cruisers, and preyed on Brazilian commerce. Some of their prizes were brought into United States ports for adjudication and awarded to the captors. Rebello protested against what he thought was partiality shown to the government of the United Provinces of the Rio de la Plata, because, he supposed, it was republican in form while his own was monarchical. His denunciations grew too vigorous to suit the diplomatic tastes of Clay and Adams. Perhaps they grasped at an opportunity to charge him with being undiplomatic as a sort of counter irritant to the charges of his government against Raguet. In his entry for November 15, 1827, Adams says that Clay had left with him a letter from Rebello which "is in language highly offensive complaining of the partiality of the people of the United States against the Emperor of Brazil in his war

³³ Ibid., VII. 276, VIII. 224; and Rebello to Clay, May 30 and June 1, 1827, Clay to Rebello, May 31 and June 2, 1827, *American State Papers, Foreign Relations*, VI. 823-825, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 6-8.

³⁴ See numerous documents which passed between the United States naval commanders and the Brazilian Admiral, and between the United States consul at Rio de Janeiro and the Ministers, in *American State Papers, Foreign Relations*, VI. 1071-1121, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, pp. 118-232.

with Buenos Aires, and of republican intolerance". On the next day he says he and Clay were agreed that the offensive note ought not to be received. The latter was to suggest changes to Rebello and permit him to make them and present it again. If the suggested changes should be refused, the note would be sent back to him and a demand be made for his recall. A few days later, Adams remarks that after conversation with Clay, Rebello had taken back his offensive note.³⁵

Shortly after Raguet reached the United States, he called, in company with Clay, on President Adams, who says of the interview: "I told him that my opinion of his integrity, patriotism, and zeal was unimpaired; that I was convinced of the purity of his motives to the step he had taken; but that I had thought it would have been better if he had, before taking that step, consulted his government".³⁶ In his annual message of December, 1827, after telling of the disturbed relations with Brazil due to events growing out of the inadmissible practices of the Brazilian commanders in enforcing the blockade, Adams said the chargé had left in protest because his representations in behalf of United States citizens had been disregarded, and concluded his comment on the episode: "This movement, dictated by an honest zeal for the honor and interests of his country—motives which operated exclusively on the mind of the officer who resorted to it—has not been disapproved by me".³⁷ To a senator from Pennsylvania who in January, 1828, went to Adams to solicit another appointment for Raguet, Adams declared that because he thought Raguet was sincere and his motives were good, no public censure had been passed either in the message to Congress or in the communications with Brazil. "But" he said, "to replace in diplomatic service abroad a man of such a temper

³⁵ Adams, *Memoirs of John Quincy Adams*, VII. 354-357.

³⁶ *Ibid.*, VII. 288, 289; Raguet to Clay, May 31, 1827, *American State Papers, Foreign Relations*, VI. 1068, or, *House Executive Documents*, 20th cong., 1st sess., no. 281, p. 112.

³⁷ Adams's Annual Message, December 4, 1827, *American State Papers, Foreign Relations*, VI. 627.

and want of judgment, who took blustering for bravery and insolence for energy, was too dangerous".³⁸

WILLIAM R. MANNING.

³⁸ Adams, *Memoirs of John Quincy Adams*, VII. 401. After Raguet's departure from Brazil a statement was published in a paper of Rio de Janeiro charging that he had been bribed by agents of Buenos Aires to break off the relations between the United States and Brazil. In a communication to the House of Representatives of February 15, 1828, Raguet declared this to be an unfounded libel, and asked for an investigation. On March 25, the Committee on Foreign Affairs reported that, while they sympathized with Mr. Raguet's feeling of indignation they thought an unavowed newspaper attack on a foreign agent not sufficient ground for the House to take action. They considered the statement of the president to Congress at the opening of the session sufficient vindication. *American State Papers, Foreign Relations*, VI. 864, 865.

THE INFLUENCE OF THE UNITED STATES ON THE OPENING OF THE AMAZON TO THE WORLD'S COMMERCE¹

It is one of the minor anomalies of history that from the date of its discovery by Pinzon, in 1500, down to almost exactly the middle of the nineteenth century the great Amazon Valley remained virtually a sealed book to the world. It is quite true that a number of spectacular explorations of the river and certain of its tributaries were made during this period. The famous journey of Orellana, in 1541, and that of La Condamine, in 1744, are cases in point. Nor must the heroic labors of the Jesuit fathers, headed by the intrepid Vieira, which in the sixteenth century peopled the great valley with a chain of missions, be forgotten. But these events, however significant in the history of geographical discovery and missionary endeavor, aroused but little popular interest outside of Brazil and Portugal and, above all, furnished but slight impetus to increased commercial and economic development of the Amazon's virgin resources.

Yet potentially the Amazon region is one of the richest of the globe. The entire river system drains an area of some 2,722,000 square miles, or over twice the estimated drainage region of the Mississippi and its tributaries. The main river, after rising in the remote Andean plateau not far from the Pacific, flows across Peru and Brazil a distance of some 4,000 miles through a country enormously rich in natural resources, and is navigable for ocean steamships for a distance of 2,300 miles from its mouth to Iquitos, the great rubber mart of Peru. Important tributaries also drain the hinterland of the republics of Venezuela, Colombia, Ecuador, and Bolivia. Yet, even at the present day, the entire valley of the Brazilian Amazon according to the census of 1900

¹ Read before the Pacific Coast Branch of the American Historical Association in Berkeley, California, in 1917, and by title before the American Historical Association, at Philadelphia, December 29, 1917.

supports a population of less than three quarters of a million, an increase, however, of over 100 per cent since 1850.

Moreover, the economic development has scarcely kept pace with the growth of population, and today, with the sole exception of the rubber industry, not a tithe of the vast natural resources of this region is either known or utilized.

During a period close upon three centuries, the exploitation of the resources of the Amazon basin had not engaged the attention of either Europe or the United States. This almost complete neglect by the outside world was due in part to the jealously exclusive policy of Brazil—a legacy of the Portuguese colonial system—and in part to the late beginnings of steam navigation in the inland waters of South America.² It is a significant, though little known, fact that the influence of the United States and certain of its citizens was the determining factor in inducing the Imperial Government of Brazil to abandon this policy of seclusion and unlock the door of the Amazon to the world's commerce. It is the purpose of this paper to point out briefly the pressure exerted by the United States, with the subsequent reaction on Brazilian politics, which led to this consummation.

The first intimation of any official interest on the part of the United States Government in the opening of the Amazon came in 1850. On May 8 of that year, Secretary of State Clayton wrote to the Secretary of the Navy a letter in which he stated that the Department of State "had for some time past had in contemplation certain measures for procuring for the citizens of the United States the navigation of the river Amazon and some of its tributaries". He requested that a ship of war be sent to explore the river; if a special permit from the Brazilian Government were considered necessary Mr. Clayton believed it could be secured through the efforts of the American minister at Rio de Janeiro.³

² Decree no. 1037 of August 30, 1852, granted Ireneo Evangelista de Souza (later Visconde de Maua) exclusive privilege of the navigation of the Amazon for a period of thirty years. The result was the organization of the "Amazon Steam Navigation Company." *Rev. Trim. do Inst. Hist.*, LXII. (1899).

³ *British and Foreign State Papers*, XLII. 1313.

Just what reasons induced the United States Government to abandon this project we do not know. In the light of subsequent negotiations, however, it seems reasonably clear that all overtures from Washington looking to the opening of the Amazon at this time were balked on the part of the Brazilian Government by a flat *non possumus*. Fear of possible foreign complications combined with the traditional policy of commercial exclusion made the foreign office of Rio de Janeiro extremely reluctant to consider the navigation of the Amazon a subject of international concern.

The Navy Department now adopted another plan and one, as events proved, fraught with important consequences. On February 15, 1851, Lieutenants Herndon and Gibbon of the United States Navy received instructions from Washington to cross the Andes from Peru and, after traversing the highlands of Peru and Bolivia, to explore the Amazon and its great tributary the Madeira. Lieutenant Herndon was expected to descend the Marañon and the Amazon as far as Pará, paying particular attention to the potential resources of the Amazon Valley and the feasibility of communication between the United States and the rich mining districts of Upper Peru, while Lieutenant Gibbon was commissioned to cross Bolivia and descend the Madeira to its confluence with the Amazon. They were furnished with adequate funds and scientific equipment and, during the course of the year 1851, the work of both of these intrepid men was thoroughly and conscientiously carried through. The results of this pioneer labor of American explorers were published in 1853 and 1854 and exercised a powerful, if indirect, influence on the subsequent opening of the Amazon to the world's commerce.

In the meantime, however, American diplomacy had not been idle. Realizing the futility of attempting at this time to gain concessions from Brazil the State Department resolved on a flank attack. On July 26, 1851, not long after Lieutenant Herndon had set out from Lima, the American minister to Peru, Mr. J. Randolph Clay, negotiated a treaty guaranteeing to the United States full use of the Peruvian section of the Amazon under the most favored nation clause.⁴

⁴ Eugene Schuyler, *American Diplomacy* (New York, 1895), p. 329.

Unfortunately, this good beginning was followed by no permanent results, owing to the determined and successful opposition of Brazil. Alarmed at the new turn of events, and convinced that the Andean Republic was being made the unconscious instrument of an American attack on Brazilian interests in the Amazon basin, the Imperial Government hastened to bring pressure on Peru. As soon as the Herndon and Gibbon expedition was known at Rio, a special envoy, Da Ponte Ribeyro, was sent to Lima to negotiate a treaty "by which the citizens of the United States should be excluded from all participation in the navigation of the Amazon and in the trade in the interior of South America". In pursuance of this plan a treaty was signed between Peru and Brazil, October 23, 1851, which provided that the navigation of the river "should belong exclusively to the representative states owning its banks". This new treaty practically nullified all that the United States had obtained by the previous negotiation.⁵

It does not fall within the scope of this paper to follow the tortuous path of the diplomatic negotiations centering about these or subsequent treaties. In spite of a second treaty, April 15, 1853, obtained through the energetic endeavors of Mr. Clay, Brazilian intrigue again proved too strong. A second Peruvian-Brazilian treaty, negotiated January 4, 1854, definitely nullified concessions given to the United States by Peru by restricting the use of the Amazon to Peruvian and Brazilian ships.

On the other hand, the Republic of Bolivia, the commerce of whose hinterland was directly dependent on the Madeira, the Amazon's greatest tributary, eagerly embraced the suggestion of the United States. On April 15, 1853, and again on May 13, 1858, her government issued decrees offering free navigation of all her rivers to all nations, and invited the United States to use any parts of the Amazon belonging to her. But neither these overtures nor the favor with which several other Hispanic American states viewed the prospective change, influenced Brazil, who still was bent on her old policy of restriction.⁶

⁵ Moore, *Digest of International Law*, I. 641.

⁶ *Ibid.*, I. 643-644.

In justice to Brazil, however, it must be conceded that she had some grounds for assuming this intransigent attitude. The resources and marvels of the Amazon basin and the problem of the free navigation of Brazil's greatest river had almost overnight become a subject of intense, almost passionate interest in the United States and only to a less extent in Europe. The report of Lieutenant Herndon was submitted to Congress, January 26, 1853, and soon afterward obtained wide circulation throughout the country.⁷ On no one did this account, extremely optimistic and roseate in character as it was, exercise a stronger influence than on Lieutenant Matthew Fontaine Maury, an officer of the United States Navy and at that time superintendent of the hydrographical office and astronomer at the naval observatory at Washington. So impressed in fact was Lieutenant Maury by Herndon's report that he succeeded in calling together a convention at Memphis, Tennessee, June 7, 1853, where the question of the opening of the Amazon to the world's commerce was the subject of a heated and even polemical discussion. The result was a memorial, drawn up by Lieutenant Maury and submitted to the United States Congress March 3, 1854, petitioning the Government for an early and decisive consideration of the Amazon question.⁸

This memorial is an extraordinary document, one which we should hardly have expected from a man whom Alexander von Humboldt styled the founder of a new and important science, a man honored by the foremost scientific academies of the world, and generally regarded as the leading hydrographer of his time. As a matter of fact, however, Maury seems to have lost all perspective or sense of proportion whenever he broached the subject of the Amazon. His Memphis memorial goes so far as to borrow the phraseology of the Declaration of Independence in its pompous annunciation of the rights of the world to the glorious Amazon region. His ideas as to its size, wealth, and climate were exaggerated to the point of being fantastic. The Amazon became a second Eden, without which man could never attain

⁷ *House Doc.* no. 43, 32d cong., 2d sess.

⁸ Text given in *House Misc. Docs.*, no. 22, 33d cong., 1st sess.

his earthly goal. To him the opening of the river seemed absolutely essential to the well-being and prosperity of the United States, and in fact all North America. The flora and fauna were so rich and attractive that they vied with the jewels of the valley for supremacy. Moreover, these riches would be especially beneficial to the United States as, from his calculations, all sailing vessels, because of the set of the winds and currents, must, in making the mouth of the Amazon, pass the offings of our southern ports. Most optimistic hopes of the future of the Amazon Valley seethed in his mind, for, he reasoned, were the population of this region equal in density to that of Belgium, it would be capable of supporting 601,660,000 inhabitants.

The La Plata basin had already been opened, he further pointed out—in fact, he held that it had been forced open by Brazil in order to detract attention from the fabulous riches of the Amazon—and now Brazil should act in a consistent manner and open up waterways to the commerce of the world. But whether Brazil agreed or no, the free navigation of the Amazon must be obtained, “peaceably if we can—forcibly if we must”.

These are the main points of this extraordinary outburst of chauvinistic sentiment. What effect it would have upon the imagination of the Brazilian people, and still more upon their suspicions, may easily be conjectured. But Maury did not stop here with his propaganda. Before the memorial was reported upon in Congress, in fact, before it had been submitted to that body at all, the nimble-minded lieutenant undertook a series of expository letters in the *National Intelligencer* and *Union*, newspapers of Washington, writing under the pseudonym of “Inca”.⁹ All the exaggerated data of the Memphis memorial are repeated here with certain additions. Maury spoke sneeringly of the “Japanese policy” of Brazil, and quoted with great indignation the assertion of a Brazilian newspaper that “this nation of pirates, [*i.e.*, the United States] like those of their race, wish to displace

⁹ The letters appeared at irregular intervals during the early part of 1853, and later in the year, were published in pamphlet form in London with the title *Letters on the Amazon and Atlantic Slopes of South America*, by Inca. This collection, a copy of which is to be found in the British Museum, was used in the preparation of this paper.

all the people of America who are not Anglo-Saxon". Though the peaceful intent of the United States was asserted and reasserted by Maury, even this feeling of peace and good-will toward Brazil must give way to "the everlasting principle of right". The letters concluded with the whole gist of Maury's argument given in one striking paragraph, which may be quoted in its entirety.

We want nothing exclusive up the Amazon: but we are nearest the Amazon, or rather to the mouth of it, than any other nation, not even excluding Brazil herself, if we count the distance in time and measure from Rio de Janeiro and from New York or New Orleans as the centers of the two countries. And therefore it may well be imagined that the execrable policy by which Brazil has kept shut up, and is continuing to keep shut up, from man's—from Christian, civilized, enlightened man's—use the fairest portion of God's earth, will be considered by the American people as a nuisance, not to say an outrage, . . . This certainly is the question of the day. The problem of the age is that of the free navigation of the Amazon and the settlement of the Atlantic slope of South America. It is to draw after it consequences of the greatest importance, results of the greatest magnitude. It is to stand out in after times, and among all the great things which this generation has already accomplished, as *the* achievement in its way of the nineteenth century. The time will come when the free navigation of the Amazon will be considered by the people of this country as second in importance, by reason of its conservative effects, to the acquisition of Louisiana, if it be second at all; for I believe it is to form the safety valve of the Union.

Extracts from these letters were published in a Portuguese translation during the course of the year 1853 in the widely circulated *Correio Mercantil* of Rio de Janeiro. The effect of their arrogant and aggressive tone, as well as their gratuitous assumption that the free navigation was already practically accomplished, may readily be imagined. Those Brazilians who had regarded the United States with something akin to fear and dislike now found their worst suspicions confirmed. In many quarters the conviction began to gain ground that the United States harbored sinister designs on certain countries of South America, a conviction which the outcome of the recently con-

cluded Mexican War, our filibustering expeditions to Cuba and Central America and the bombardment of Greytown served to reënforce. It was assumed that once American citizens had established themselves in the southern continent they would introduce their own institutions, insist on self-government, and eventually demand annexation to the United States. As indicative of this attitude was the pamphlet of Sr. Cavalcanti, the Brazilian minister to Peru, published late in 1853.¹⁰ It was couched in violent, even abusive, terms, and attributed to the United States schemes of annexation as the real reason for its insistence on the opening of the Amazon. A little later the French writer, Reybaud, in *Le Brésil*,¹¹ a work liberally subsidized by the Brazilian Government and presumably representing the attitude of the Brazilian foreign office, roundly asserted that no vital interest was involved in the opening of the Amazon. He likewise declared that the American Government desired nothing more than to be forced by public opinion to use its unscrupulous power in aggressions upon Brazil. The projects launched by Maury were characterized as "fables out of the Thousand and One Nights", and the Memphis Convention as a cut and dried political manoeuvre to excite the populace. The Uruguayan writer, De Angelis, in a work published at Montevideo in 1854, *De la Navigation de l'Amazon*, made a bitter attack upon both Maury and the United States Government. Perhaps equally significant is the testimony of Fletcher and Kidder, two contemporary Americans, whose work, *Brazil and the Brazilians*, is on the whole the most authoritative work ever printed in English on Brazil.¹² Apropos of the letters and propaganda of Lieutenant Maury they wrote:

It is certainly a matter of deep regret that one whose writings and scientific investigations have not only received the highest encomiums from the great and the learned on both continents, but have blessed and are blessing the world, should have permitted himself to make

¹⁰ Schuyler, p. 333.

¹¹ Paris, 1856.

¹² The first edition was published in New York, in 1857.

use of language which could only inflame a sensitive nation, and of some arguments which can only tend to "filibustering." If Lieut. Maury had left out the offensive language, and a portion of his reasoning, which has been by Brazilians legitimately construed as nothing less than advocacy of the theory that might makes right, I believe that it would have been much better for our country and for Brazil. Since that time it has been impossible to negotiate a treaty with Brazil,—a government with which we ought to be closely linked.¹³

Others of Maury's countrymen had evidently shared these views, for his memorial to Congress was quietly laid upon the table, with some comment, to be sure, on the "selfish policy" of Brazil and the proviso that Congress might act in the future; but for the present, "considering the advisability of continued good relations with the Brazilian Empire", further action was deemed inexpedient.¹⁴

This rejection of Lieutenant Maury's memorial did not mean, however, that efforts to obtain the relaxation by Brazil of her really one-sided policy ceased. President Pierce mentioned the Amazon question in his annual message of December 5, 1853, stressed the importance of the opening of the river, and expressed his hope for a speedy solution of the diplomatic problems involved. Our minister to Brazil was especially instructed to obtain a change of Brazil's policy though no threat or hint of aggression was to be employed. The fact that President Pierce considered the question as worthy of rather extended comment in his message proves the hold that the great river had taken of the minds of the American people.¹⁵

Mr. Marcy, who succeeded Mr. Clayton as Secretary of State in the Spring of 1853, reopened the Amazon question with vigor. With Marcy's endeavors we enter upon a saner phase of the movement for the opening of the Amazon. Realizing that negotiations with the Andean republics would necessarily remain futile without the sanction of Brazil, he directed his efforts towards inducing the Imperial Government to modify its previ-

¹³ Fletcher and Kidder, *Brazil and the Brazilians*, (Philadelphia, 1857), p. 579.

¹⁴ *Report*, no. 95, 33d cong., 2d sess., p. 9.

¹⁵ Moore, *Digest of International Law*, I. 642.

ous attitude. Our State Department took the broad ground of international law, equity, and the desirability of strengthening the cordial relations between the Brazilian and American people. Thus, in a note to Mr. Trousdale, minister to Brazil, August 8, 1853, Mr. Marcy gave a definite basis to the claims of the United States by quoting from Wheaton's *Elements of International Law* the following passage:

Things of which the use is inexhaustible, such as the sea and running water (including, of course, navigable streams) cannot be so appropriated as to exclude others from using those elements in any manner which does not occasion a loss or inconvenience to the proprietor. This is what is called an *innocent use*. Thus we have seen that the jurisdiction possessed by one nation over sounds, straits, and other arms of the sea leading through its own territory to that of another, or to other seas common to all nations, does not exclude others from the right of innocent passage through these communications.¹⁶

Here at last was something tangible upon which to base the demand that Brazil open her interior waterways to the commerce of the world, in the accepted principles of international law current at that time.

Mr. Marcy had a definite working basis in this quotation from Wheaton, and set about the attainment of his object with considerable vigor. Our minister to Brazil was assured that the most important part of his mission was to secure for the United States the free use of the Amazon. Letters were also sent to our ministers in New Granada, Peru, Ecuador, and Bolivia, urging them to keep the question before those governments, some of which had already viewed it with favor. Marcy was firm in his assurances that the United States was claiming only the same privilege that had been arranged for in Europe in 1815, at the Congress of Vienna. Furthermore, although he was guilty on occasion of using language which was virtually a threat, his attitude was on the whole a welcome contrast to Lieutenant Maury's purblind fervor.

His efforts may not have amended matters to any great extent, but they at least made them no worse. He conscientiously re-

¹⁶ *Ibid.*, I. 642.

fused to countenance any "adventurous infringement" of Brazil's claims, and absolutely refused to support an American citizen wishing to send a ship to Peru *via* the Amazon.¹⁷

The efforts of the Secretary of State were, however, for the time being futile. Public opinion in Brazil was too much aroused to admit of any compromise at all with the United States; in fact, diplomatic negotiations had reached a virtual deadlock as soon as Maury's writings had been published and digested in Brazil. The field of interest then shifts to the latter country, and we come to an examination of the events there which led to the final opening of the Amazon. Though in some respects the most interesting phase of the entire Amazon controversy, it has up to the present time not received an attention commensurate with its importance, partly because the literature on the subject is practically unknown outside of Brazil.

In the final instance the propaganda in favor of the opening of the Amazon to the world's commerce was largely inspired and guided by a single individual, the distinguished Brazilian statesman and publicist, Tavares Bastos. Long interested in a project for improving the commercial relations between the United States and Brazil, he had secured a copy of the reports of Herndon and Gibbon and had read with great avidity the memorial and letters of Maury published, as we have seen, in the *Correio Mercantil*. The influence of the writings of these three Americans, particularly those of Lieutenant Maury, were destined to become for the next decade the decisive factor in his public career.¹⁸ While quick to detect the exaggerated and fantastic features of these accounts, he differed absolutely from the bulk of his fellow-countrymen in the interpretation he placed

¹⁷ Moore, I. 643; Schuyler, p. 337.

¹⁸ The importance of Maury's influence on public opinion in Brazil is freely conceded by the eminent Brazilian historian, Joaquim Nabuco. "After the publication in the *Correio Mercantil* of his [Maury's] memorial, and his description of the Amazon region, locked up from the world by a policy more exclusive than Japan's or Dr. Francia's, the cause of the freedom of navigation was triumphant. Tavares Bastos himself received from the book of Maury the patriotic impulse which converted him into the champion of this great cause." *Um Estadista do Imperio* (Paris, 1897), III. 12.

upon Lieutenant Maury's propaganda. Instead of increasing resentment in the United States by a suicidal policy of exclusion, the Brazilians should, in his judgment, follow the dictates of common sense and enlightened self-interest by throwing open to the world the Amazon Valley whose natural resources he depicted in the most glowing colors. It proved, however, no easy task to allay the resentment caused by Lieutenant Maury's violent and ill-tempered diatribes. The apprehension of the government is clearly revealed by the *paracer* or written opinion prepared at the instance of the Emperor by the Council of State in 1854 and signed by such well-known political leaders and statesmen as the Visconde de Uruguay, the Marquis de Abrantes, and the Visconde de Maranguape. The *paracer* enlarges on the importance and peril of the American propaganda and adds "Lieutenant Maury carries on his campaign with the knowledge and protection of the government of the United States which eagerly welcomes his doctrines. It is his publications which have contributed most to develop and stir up this propaganda".¹⁹ This same note of ill-concealed anxiety appears in the pamphlet of Dr. Moraes Antas, *O Amazonas*, published in Rio de Janeiro in 1854 in answer to Lieutenant Maury's memorial. But neither these official and unofficial expressions of opinion or the diplomatic manoeuvres of the Imperial Government directed against the action of the United States in the Andean Republics discouraged Tavares Bastos. In Parliament and in the press he arraigned the oldtime statesmen of Brazil for their policy of obstruction and obscurantism and ever accused them of fomenting hostility to the United States for their own political ends.

At length his efforts began to bear fruit. He secured the adherence to his cause of no less a personage than Brazil's greatest lyric poet, Gonçalves Dias. In a letter to Bastos the poet somewhat rhetorically writes apropos of Maury:

An author detested in Brazil and even hated by many of our famous men as the advocate of the unbridled ambitions of the Americans, Maury in my judgment should be considered as deserving well [*benemerito*] of

¹⁹ Nabuco, *ut supra*, II. 382.

the Amazon. Even his exaggerations have been of value . . . and from his writings dates the increased interest which the government devotes to the affairs of these provinces. At least it knows that they exist, knows that they belong to us, and will make some effort to develop them, now that they are coveted by the Americans.²⁰

Meanwhile the government began to recede from its uncompromising attitude. In his annual report for 1858, the Marquis of Olinda, then Minister of the Interior, stated "that the opening of the Amazon to foreign commerce is continuing to occupy the attention of the government".²¹ The Imperial Parliament devoted increasing attention to the subject. In the session of August 20, 1860, Deputy Tito Franco, representing the Province of Pará, drew a flattering picture of the untouched resources of the Amazon Valley and scored "the policy of Chinese exclusion" to which his native province was subjected.²² And on July 8, 1861, Tavares Bastos himself proposed a law throwing open the river to the navigation of the world and championed it with all the eloquence and influence at his command.²³ Not content with this beginning, the patriotic Brazilians then undertook a series of expository letters designed to educate public opinion on this all-important matter. These *Cartas do Solitario* or "Letters from the Hermit" were presented in the *Correio Mercantil* during the year 1861, and, published in the following year in book form, obtained wide circulation. These letters were supplemented by a series of notable speeches delivered in the Parliament, of which, that of July 8 was considered so important that it was translated *in extenso* in the *New York Journal of Commerce*, for September 16, 1862, and was analyzed in detail in the *Hamburger Nachrichten*, for January 20, 1863. This address was a fine piece of impassioned pleading, ending with a dramatic appeal that Brazil take her proper place in the fellowship of the enlightened and progressive nations of the world. Other evidence of the result of Tavares Bastos's labors were not lacking. The

²⁰ A. C. Tavares Bastos, *Cartas do Solitario* (Rio de Janeiro, 1866), p. 274.

²¹ *Relatorio do Ministerio do Imperio*, 1858, p. 58.

²² Tavares Bastos, p. 275.

²³ *Ibid.*, pp. 275, 414, 415.

Boston Board of Trade at its meeting of July 30, 1862, went on record as unanimously approving his efforts to better the commercial relations between Brazil and the United States; of even greater significance was the recommendations of the president of the Amazon Steam Navigation Company in his annual report for 1863. He announced the willingness of his company to give up its exclusive privileges and urged that the navigation of the Amazon be extended to the flags of all nations.²⁴

Now that the strong initial impulse had been given, the movement in favor of the opening of the Amazon continually gained in momentum. In his annual report submitted to Parliament in 1864, the Minister of Foreign Affairs stated that the government was convinced that it was desirable as soon as possible to permit a greater development of the commerce of the Amazon; it had therefore resolved "to extend the freedom of navigation to the flags of all nations".²⁵ But unexpected obstacles arose when the whole question, in accordance with constitutional usage, was submitted to the Council of State. The opinion of the section dealing with foreign affairs, signed by Pimento Bueno (later Marquis de São Vicente) still represented the ultra-conservative and obstructionist attitude. Grave perils were seen in independent action: "It would be a bad policy for Brazil to isolate herself from the Andean Republics and sacrifice their moral support"; at least action should be deferred until all pending boundary disputes had been settled.²⁶ This was tantamount to shelving the question indefinitely. Such a policy of timidity and procrastination aroused the vigorous opposition of José Antonio Saraiva, then Minister of Marine. This distinguished and broad-minded statesman, one of the ablest parliamentarians of the Empire and later twice Prime Minister, was in favor of the immediate opening of the river. In a letter to the Prime Minister, the Marquis of Olinda, dated February 3, 1866, he wrote: "It is neither consistent nor decorous on the part of Brazil to maintain and defend in the Rio de la Plata principles of liberty and

²⁴ *Ibid.*, p. 416.

²⁵ *Relatorio do Ministerio de Relações Exteriores*, 1867.

²⁶ Nabuco, II. 383.

progress which we refuse to admit in the case of our own North. Far from jeopardizing in any manner the interests of Brazil, the opening of the Amazon would greatly redound to her advantage. It is also a matter of simple justice to the Republic drained by the river's headwaters." This letter was accompanied by a decree which opened the waters of the Amazon and its tributaries to merchant ships and war vessels of all nations.²⁷ It is possible that the problem might have been settled at this time, despite the opposition of Pimento Bueno, had not Nabuco de Araujo, the Minister of Justice and Brazil's foremost jurisconsult, disapproved of certain features of the project. He agreed with Saraiva that freedom of navigation should be extended at once to the Amazon proper, but he objected to the opening of the tributaries until adequate port facilities had been provided and satisfactory arrangements made with the Andean Republics. The result was a deadlock; nothing further could be accomplished by the Olinda cabinet.

With the new ministry, that of Zacharias de Goes e Vasconcellos (August 3, 1866), the Amazon question immediately came up for discussion. The time was now more propitious for a definite settlement. During the preceding year, Tavares Bastos had made an extensive journey from one end of the Amazon Valley to the other, and shortly after his return had published an extremely interesting volume entitled *O Valle do Amazonas*.²⁸ With rare charm of style and intense earnestness he depicted the beauties of this virgin country and dwelt at length on the prodigious commercial development which was waiting the unlocking of the valley to the world's trade. Of equal if not greater importance in focusing the attention of the Brazilians on this burning question was the journey of the naturalist Agassiz, also performed in 1865, with the assistance and in a measure under the patronage of the Emperor. Don Pedro himself, keenly jealous of the good name of Brazil, now exerted his influence directly in favor of a prompt and dignified solution of the problem. Zacharias de Goes, the new Prime Minister, was one of the chiefs of

²⁷ *Ibid.*, II. 385.

²⁸ Rio de Janeiro (Garnier), 1866.

the *Progressistas*, the more advanced wing of the Liberal Party, and under his guidance the government was permeated with a more liberal spirit. The change in attitude was strikingly illustrated in the case of Counsellor Pimento Bueno (Marquis de São Vicente). Influenced possibly by the arguments of Tavares Bastos he now abandoned his policy of temporizing, made a complete *volte-face*, and in a project submitted to the Emperor urged the immediate opening of the Amazon. But Don Pedro, scrupulous as ever in his strict adherence to constitutional usage, laid the matter once before the Council of State. A plenary session was held on December 3, 1866; Nabuco de Araujo made an eloquent plea for the immediate opening of the river by imperial decree to both merchant and war vessels. Brazil, he pointed out, by insisting upon the free navigation of the La Plata could not consistently withhold the same privilege for the Amazon; moreover, as a civilized nation, she could not do less than adhere to the principles regarding fluvial navigation embodied in the Treaty of Vienna. Both the main streams as well as the branches should be included in the terms of the decree excepting those tributaries not yet explored or provided with ports. Pimento Bueno was willing to agree to Nabuco's suggestions, provided foreign war ships were excluded from the river. Opposition now virtually disappeared and after some discussion a compromise was reached. Antonio Coelho de Sá e Albuquerque, the Minister of Foreign Affairs, commissioned Nabuco to draw up the final decree which was signed December 7, 1866.²⁹ It provides that after September 7, 1867, the Amazon should be free to the merchant ships of all nations as far as the frontier of Brazil. Of the tributaries the Tapajos was to be open to Santarem, the Madeira to Borbá, and the Rio Negro to Manaus. The Tocantins, which strictly speaking is not a part of the Amazon system, was to be opened to Cametá and the São Francisco, lying entirely outside the Amazon basin, to Penedo. Two years later, on December 17, 1868, Peru followed the example set by Brazil and declared the navigation of her rivers open to all nations. The Amazon,

²⁹ Nabuco, III. 19; the text of the Decree is given in the *Leis do Brazil*, 1866, Decreto, no. 3749, p. 362.

including its most important tributaries, was now free from mouth to headwaters.

While American diplomacy had a share in bringing about this happy result, it is no exaggeration to say that the initial impulse came from the publicity given the Amazon question by the three American naval officers, Lieutenants Herndon, Gibbon, and Maury. As a result of their writings, what was at first sight regarded as a purely domestic affair, became the subject of debate before the forum of public opinion in the United States and Brazil. And while resentment in the latter country seemed for a time to bar the way to any further progress, eventually, through the patriotic efforts of a number of broad-minded Brazilian publicists and statesmen, the objects of American diplomacy and of the propaganda of Lieutenant Maury attained their full and peaceful accomplishment.³⁰

PERCY ALVIN MARTIN.

³⁰ The writer desires to acknowledge the valuable assistance rendered by Mr. Philip H. Cooley in the preparation of this paper.

GENERAL JAMES WILKINSON AS ADVISOR TO EMPEROR ITURBIDE

James Wilkinson's tortuous path took him in his last days to the Mexican capital, where he was living in 1822, during the rule of Iturbide as emperor, and where he died. His long and conspicuous career on the Spanish-America border made him well known to the officials of the newly-established Mexican nation, and he even figured in the capacity of advisor to the new government in important matters of state. This episode in Wilkinson's adventurous life is made known by two documents discovered by the present writer in the Mexican archives and now published for the first time.¹

Though they are filed under one common title the memorials constitute two distinct documents. The former, "Observaciones", consists of recommendations concerning the improvement of commercial regulations, with particular reference to tariffs, and shows Wilkinson's wide knowledge of the practical workings of trade laws. The second, the "Reflexiones sobre la Provincia de Texas", though the briefer, is the more interesting of the two documents, and better reflects some of the more familiar qualities of the adventurer. In it Wilkinson describes the decadent condition of Texas, and suggests a means for transforming it "from an asylum of pirates and assassins into beautiful settlements, according to modern taste and policy, inhabited by cultured Catholic people, dedicated to manufacturing and all kinds of industry".

To bring about this result Wilkinson recommended that Texas be divided into two provinces, the eastern division, called the Province of Iturbide, "in memory of its founder", to be bounded

¹ The originals are in the archives of the Secretaría de Gobernación, Ramo de Comercio. See Herbert E. Bolton, *Guide to Materials for the History of the United States in the Principal Archives of Mexico* (Washington, 1913), p. 320. See also *ibid.*, p. 244, for other Wilkinson documents of the same period.

by the Sabine, the Red, and the Colorado rivers. Instead of introducing colonies of European immigrants, as was being contemplated, he urged the settlement of the proposed Province of Iturbide with French and Spanish families from Louisiana and Florida, supplemented by Catholic families from other parts of the United States. Finally, there should be placed at the head of the new province "an official of honor, fidelity, intelligence, adaptability, and political sagacity". The hint was probably not lost.

HERBERT E. BOLTON.

OBSERVACIONES QUE RESPETUOSAMENTE PRESENTA Á
S. M. EL EMPERADOR, SOBRE EL IMPORTANTE RAMO
DE COMERCIO, JAMES WILKINSON²

Los derechos que se exigen por el Gobierno Mexicano baxo el presente Arancel, las dilaciones molestas que se encuentran en las transacciones con las Aduanas y la falta de unas buenas ordenansas, son las continuas quejas de los comerciantes ya transeuntes ya naturales del pays.

En los tiempos que no se admitian otros Buques que los de Registro era peculiar de la politica Española limitar el Comercio: entonces el modo de cobrar los derechos puede haber sido equitativo, respecto á que el valor de las mercancías y el de las ganancias de los comerciantes era crecido; pero desde el momento en que se separo este Ymperio del Gobierno Español, y que se abrieron sus puertas á todas banderas, el comercio habiendose aumentado diez veces mas que antes, y habiendose al mismo tiempo establecido un comercio libre con todas las Naciones, el presente avaluo de las Mercancías y la organizacion de las Aduanas, no solamente parece impolitico, sino que causa un particular descredito a este Ymperio y que acabara con todas las relaciones comerciantes que se establezca.

Conforme al Artículo cuarto del Arancel, el avaluo especifico delos

² The manuscript bears the following indorsements, made probably either in the office where the document was first filed or in the archives:

"(Secretaria de Gobernación. México.) 1.a Sria de Estado Año de 1822 Comercio. Expte no 25 22 fs Reflexiones que presenta el Gral. James Wilkinson sobre el comercio en general y sobre la poblacion de la Provincia de Texas."

"822. N.o 151. Minist.o de Relaci.s Nov.e f.s 38. Observacion.s del Gral. Jaime Wilkinson a S.M. el Emp.or sobre varios puntos del Gov.no."

derechos sobre mercancías, introducidos en Buques extranjeros excepto en los de Bandera Española, se ha asentado el 25 por ciento, que se paga efectivamente como sigue

Por el avaluo primero conforme al Arancel	el 25 por ciento.
Por el derecho de consulado	el 2 1/2 “
Por el de Almirantazgo o averia	el 3 1/2 “
que es	el 31 por ciento.

Por consiguiente, en lugar de pagar el 25 por ciento como se ha prevenido, se paga efectivamente el 30 por ciento, sobre mercancías desiguales en cantidad y calidad; con todo pudiera uno acomodarse a este derecho exorbitante, aunque contrario a todos los usos practicados por otras naciones, si no fuera que la clasificación de las mercancías hecha por este Arancel confundiese las de mucho valor con las que tienen poco: el derecho que se cobra sobre las primeras no alcanza el 25 p % cuando este mismo que se cobra en algunos casos sobre las últimas asciende hasta el 160 por ciento: Indiguemos; pues, el origen de estos principios, y el objeto del talento que ha producido providencias tan extraordinarias y discordantes; y aunque la exposición franca que hemos hecho no puede tener contradicción,—no obstante, ella necesita el ser aclarada y a este fin proponemos las observaciones siguientes que no dejaran de ser aprobadas por la gente instruida y sensata.

No hai mercancía que tenga tanta variación en su precio, ya sea en Europa, ya en los Estados Unidos, o ya sea en este Imperio como las Indianas; y esto proviene de su calidad, de sus dibujos y colores; las mas finas se venden en los Estados Unidos a treinta centavos de peso, que es dos y medio reales la yarda; Estas estan avaluadas por el arancel a cuatro reales la vara, que es un real y medio mas de lo que cuestan; y el derecho del 31 por ciento sobre ellas causando un aumento de este real y medio, asciende el derecho efectivamente al $53\frac{1}{3}$ por ciento sobre el primer costo, exclusivo del flete, comision, descarga y otros gastos menores: Pero en los Estados Unidos se compran las indianas corrientes a diez centavos la yarda, que es una quinta parte menos de un real; de suerte que ellas pagando aqui el mismo derecho que las finas, este derecho asciende hasta el 160 por ciento; y para con mayor claridad hacer Ver la mala combinacion y la injusticia de este arancel, permitaseme poner en contraste el efecto que produce este á un mismo tiempo sobre las indianas, y los lienzos de Irlanda.

Los lienzos de primera clase se avaluan á 80 centavos de peso, que son $6\frac{1}{2}$ reales la yarda; cuando los de calidad inferior no valen mas que

dos reales, no obstante esta importante diferencia, ellos pagan en virtud de este arancel igualmente unos con otros tres reales por vara, y de esto resulta que los lienzos ordinarios son cargados solamente con el $16\frac{1}{4}$ por ciento, cuando los finos tienen de pagar el 52 por ciento; pero comparando los derechos cobrados sobre las indianas y estos lienzos, la diferencia que ha, es el 37 por ciento sobre las clases ordinarias, y el 108 por ciento sobre las clases finas, lo que es contrario a la sabia politica que debe al bien y á la conveniencia de la clase pobre. La tabla siguiente aclarara esto con precision.

Otro objeto muy importante de quejas formaran las vexaciones y dilaciones que experimentan los comerciantes en el despacho de las Aduanas de este Imperio, ya sea por el capricho, la arrogancia y la presuncion de los administradores o ya por el defecto de la organizacion de este ramo de hacienda; Sucede frecuentemente que los buques estan detenidos despues de haber concluido sus negocios, no solamente muchos dias sino que algunas veces por semanas enteras antes de poder despacharse—con el gravamen de erogar gastos que cada día se aumentan y quitan a sus dueños la mayor parte de la utilidad anticipada del viaje, en este estado de cosas, si uno se propone hacer algunas observaciones se le mira con desprecio y en el caso de representar contra este abuso el orgullo y la indignacion de los Señores de la Aduana se levanta y en castigo de este atrevimiento, que así se suele llamar a la justicia, se dilata mas el despacho con la voz de mañana y mañana, sin reparar al mismo tiempo que los interesados estan gastando cuarenta a cinquenta pesos diarios; y si al cabo de quinze dias logra uno ser despachado, se le dice haberle conferido un gran favor.

Existe aun otro abuso mas, que se experimenta en el sistema de estas Aduanas, y que a mi entender exige una pronta reforma del Gobierno Superior, y es el cobro de derechos en los efectos extrangeros, por solo la cualidad de haber desembarcado en el Imperio, aunque el introducir [*sic*] de ellos trate de verificar su extraccion, por no hallar con facilidad y comodidad en el pais modo de realisarlos.

Ademas se nota tambien entre otros abusos, uno que merece igualmente uno que merece [*sic*] la atencion del Gobierno, y es los dos y medio pesos que a su entrada tiene que desembolsar cualesquiera buque por cada tonelada. Semejante derecho no ha sido nunca impuesto por ningun otro Gobierno, sino en caso de represalias o con la intencion de no admitir estos buques en sus puertos. Este derecho es incompatible con la situacion reducida de los fletes en todo el orbe: Este es particularmente opresivo en el puerto de Veracruz, por motivo de un primero

ARTICULOS.	COSTO SOBRE FACTURA	AVALUO POR EL ARANCEL	DERECHO DEL AVALUO AL 31 p %	DERECHO SOBRE FACTURA	PRIMER COSTO EXCLUSIVO DE FLETE, COMI- SION, TC.S	DERECHO SOBRE INDI- ANAS FINAS	DERECHO SOBRE INDI- ANAS CORRI- ENTES	DIFFERENCIA EN LOS DERECHOS
Indianas.....	30 por y.da	50 por vara	15½	53½ pr ciento	45½ por y.da	53½ pr ciento		Sobre las ordinarias 108 p. % Sobre las finas 37 p. %
Dichas	10	50	15½	160	25½		160 pr ciento	
Lienzos.....	80	37½	13	16½	93	16½		
Dichos.....	25	37½	13	52	38		52 pr ciento	
						37 pr %	108 p %	

derecho de cuatro reales por tonelada que exige al mismo tiempo el Comandante del castillo de San Juan de Ulua. En estas circunstancias parece que seria no solamente liberal, sino tambien justo, el que hasta la rendicion de este fuerte ningun derecho de tonelada, de asistencia al capitan del puerto, o otros, fuesen cobrados por motivo que estos mismos lo son por el comandante de dicho fuerte, quien efectivamente se halla en posesion del.

Habiendo manifestado claramente que los defectos del Arancel Mexicano tienden a destruir toda correspondencia con otras naciones yo debo por ahora señalar para el mayor interes de mi amada patria y felicidad de este Imperio los exorbitantes derechos que provocan descontento entre las Naciones estrangeras, originan el contrabando, corrompen sus empleados, disminuyen las rentas Nacionales y aumentan el precio de las Mercancias contra el interes de la clase indigente, que en mi concepto merece toda la atencion y proteccion del Gobierno: despues procuraré exponer los remedios de estos males que se hallan practicados por Naciones comerciantes.

La gloriosa Revolucion, que ha colocado a Mexico en el rango de las Naciones Independientes, lo pone en la necesidad de hacer mutaciones esenciales en su Gobierno economico conforme a su nueva situacion: La principal que señalamos es la entera reforma de su sistema comercial, substituyendo al efecto principios e instituciones liberales a aquel limitado y viciado Sistema de España, y con esto no solamente se grangeara este Imperio el aprecio y estimacion de las Naciones cultas, sino que tambien su hacienda publica se aumentara y prosperara sobre manera.

Es de advertir, que no se deben variar con demasiada ligereza los usos y costumbres del antiguo sistema del Gobierno sin haberse probado que las nuevas instituciones o formas reglamentarias sobre ser mas adaptables en el Imperio, acarreen mas utilidad á la hacienda publica y a la política Nacional; empero no se debe adherir a ellas por solo la simple calidad de ser antiguas e inveteradas, porque esto seria contrario al fomento de las artes y ciencias, y a la verdadera política que observan las Naciones; como tambien estaria en oposicion con la sana razon, que siempre debemos tener por norma: ademas de lo dicho no dexa de traslucirse que el Gobierno Mexicano tiene todavia demasiado apego á las antiguas instituciones comerciales trabajadas por la antigua tirania española sobre la desgraciada America.

Las providencias que todavia existen en el Imperio Mexicano, y de las cuales hemos hablado anteriormente son, segun la opinion general de

los hombres mas inteligentes en el comercio defectuosas por los motivos siguientes: Primeramente, por los exorbitantes derechos y el modo de recaudarse estos: en Segundo lugar, por el crecido derecho de Tonelada, y en tercer lugar por los derechos que se pagan en su extraccion sobre frutos o efectivos.

Este manantial de fondos publicos causado por los crecidos derechos arriba mencionados, que en mi concepto, forma la principal riqueza del Estado, se puede comparar muy bien a la graciosa fabula de la gallina que ponía huevos de oro, y es mencionada por el viejo Esopo: En esta virtud, soi de sentir que si el Gobierno no remedia a la posible brevedad tan malos [sic] males, sera una consecuencia necesaria pero indefectible la ruina del comercio de este naciente Imperio, y por consiguiente la destruccion de su tesoro, como se causo la desgraciada ruina del poseedor de la gallina de la Fabula con la imprevista muerte de aquel precioso y productivo animal.

Ademas estos derechos siendo crecidos tienen otras consecuencias demasiado funestas, pues, 1.º Ellos exitan al contrabando, y paralizan las operaciones del comerciante honrado, desmoralizando, al mismo tiempo, la Sociedad, frustran al Gobierno de sus recursos.

2.º Por motivo del exceso de estos derechos, se incita a los contrabandistas á sobonar los empleados del Gobierno, pues cuando mas crecido es el derecho, mas puede liberalmente remunerar el contrabandista a quien lo facilita en sus operaciones.

3.º Ellos tambien obran contra el comerciante honrado, disminuyendo particularmente la importacion de Mercancias bastas, que no son tan ventajosas al contrabandista como las finas, y que producen un aumento en el precio de estas, injurioso a la clase indigente, por cuya causa, ella se queda casi desnuda: El comercio de todas partes del mundo ha siempre reprobado este Sistema de España, porque el derecho que aquel Gobierno ha impuesto sobre toda clase de efectos, ha sido ilusorio, y en sus consecuencias contrario a la sana razon.

Por lo que toca á sus colonias los derechos eran tan crecidos en estas y las costas tan dilatadas, que cuadrillas de contrabandistas se organizaban en oposicion á las leyes, y entraban por alto mercancias en desafio de los Guardacostas, defraudulando asi los derechos de cargamentos enteros; de alli resultaba que el comerciante honrado que exactamente contribuía con sus debidos derechos, se hallaba imposibilitado de adelantar, por motivo de este contrabando, y disgustado no se la proporcionaba otro recurso, que el de abandonar su comercio o de buscar tambien el modo de eludirse el pago de parte o de todos estos derechos,

o a lo que le parecia mas seguro entenderse con los empleados en las Aduanas, pues en la casualidad de que se descubriera el fraude podria muy bien salir de el, echandolo a-cargo de los empleados: Despues se organiso el contrabando de tal manera que parecia muy familiar, y gradualmente la evasion del pago de los derechos, de cualesquiera manera que fuese, y aun en la opinion publica parecio mas honrado que criminal.

Se pudiera citar muchas circunstancias en prueba de esto; pero bastarían algunas generales y particulares. La Venta ostensible de empleos publicos baxo el Gobierno de España, los estipendios y emolumentos que se recogian de ellos y que casi no subian al premio ordinario del dinero, presentaba sin duda la apariencia de una Ventaja ilicita a favor del comprador.

Por algunos años pasados, el derecho sobre harina cargada en los Estados Unidos con destino a la isla de Cuba ha sido de ocho pesos por cada Barril³ y la importacion en esta Isla suma anualmente a Cien mil Barriles; con todo casi la cuarta parte no paga derechos ningunos, y á un amigo mio que estuvo en Santiago de Cuba en el mes de Febrero ultimo pasado le fue intimado por un comerciante de aquella plaza, que lo habia oido del tesorero de ella, que aunque todos los vecinos de aquella ciudad estaban bien abastecidos con buen pan de trigo, no habia por esto entrado en la tesoreria por muchos meses ni el derecho de un Barril de harina.

En el año 1810 habiendome pasado a la Havana para hacer una visita al Capitan General de la isla, Marques de Someruelos, al momento de embarcarme, mis efectos fueron detenidos en la Aduana, pero como habia desembarcado en la Isla con el permiso de este capitan General, le escribi sobre esta detencion, mas, el me contesto que no tenia autoridad sobre las Aduanas, y que ellas etaban baxo la dependencia del Intendente; Un comerciante, amigo mio, que estaba presente, me dixo que no me inquietase y efectivamente, usando de su abiso y presentando un peso al Guardia, se me permitio pasar libremente con mis efectos.

No se puede dudar del interes que este Imperio debe tener tanto por su dignidad, como por el bien se su hacienda de reprimir estas fraudu-

³ At this point there is a note in the manuscript, as follows:

"Se debe reparar que enteradas las Cortes de Españas del defecto de estos crecidos derechos, han en su ultimo arancel de Diciembre o Enero ultimo reducido los derechos á dos pesos y medio por cada Barril, y disminuido en la misma proporcion los derechos Sobre las otras Mercancias".

lentas disposiciones, y es de mi opinion que esto no se puede verificar pronto sino con la reduccion de los derechos de tal modo que ellos no puedan excitar la codicia del contrabandista, y para ser mas claro, que estos derechos fuesen tan moderados, que cada uno tubiese mayor interes en satisfacerlos, que correr el riesgo de hacer un contrabando escandaloso, y a este efecto, para cuando se verifique un nuevo Arancel en este Imperio recomiendo que se tenga a la vista el de los Estados Unidos de America, por que, lo considero como el mas modernò, el mas politico, el mas juicioso, y el mas bien calculado, para impedir el contrabando, quedando convencido que esto excitara unas relaciones mayores entre los Estados Unidos y este Imperio.

Se percibira en este arancel de los Estados Unidos, que los generos finos y ricos, por exemplo alhajas de oro y plata, perlas y piedras preciosas, encaxes, chales de Encaxes, Sederias &c.a son cargados solamente con el $7\frac{1}{2}$ por ciento y hasta el 15 por ciento, sobre el importe de las Facturas, y esto es, porque su valor siendo fuerte se puede con facilidad introducir con la ayuda de los marineros y pasajeros que las llevan en su equipage: Una persona sola puede de este modo meter por alto, cada vez, en encaxes y alhajas un valor de mas de mil pesos; yo mismo he visto esto verificarse al tiempo que estube prisionero en el puerto de Veracruz: mas cuando los derechos son moderados, el dueño de mercancías finas prefiere satisfacerlos, que de correr el riesgo de entrarlos por alto.

Se observara por dicho Arancel que se ha hecho en el una distincion entre los generos del uso comun y los de luxo. Por exemplo—Alambre paga el 27 por ciento, Te el 32 por ciento y caldos el 48 por ciento: Las mercancías de primera necesidad no pagan mas del 25 por ciento, y menos calculandolas unas con otras.

Serian aun mas justos e equitativos los precios de las Mercancías procedentes de manufacturas regularmente facturadas que fuesen aforados y certificados por los comerciantes en presencia de los administradores de las Aduanas, o si se prefiere, por el consul Mexicano residente en el puerto, sirbiesen de base para la valuacion de los derechos, lo mismo que se esta practicando en los Estados Unidos, y no fuesen sometidos á la discrecion de unos apreciadores ignorantes, que en virtud del establecido Arancel, hacen muchas veces subir los derechos á mas de lo que se pueden vender las mercancías, y esto contribuye mayormente á la destruccion del comercio y a excitar el contrabando, que son males, de los cuales este Gobierno debe precaverse: y para que todas estas providencias tengan efecto, el Gobierno debe tener

su atencion en no conferir empleos en estas Aduanas, sino a personas discretas y de integridad, cuyos estipendios deben ser liberales y regularmente pagados, a fin de que estos empleados no puedan ser sobornados. Estos Empleados deberian asi mismo dar razon de sus cuentas cada seis meses al Ministro de hacienda Nacional, y con pruebas evidentes de contravencion y particularmente por el soborno, ellos deben ser castigados con multa, carcel, y perdida de sus empleos; ademas deberan ellos dar unas fianzas de personas seguras para el buen desempeño de su destino.

Yó aseguro que no faltara quien piense que reducidos los derechos se desminuiran las rentas, mas por el contrario resultará, lo que vamos a probar con la sencilla y clara explicacion siguiente.

La disminucion de los derechos facultara al comerciante el vender sus mercancias á un precio mas moderado, y por ser estas mas baratas el consumo de ellas aumentara y excitara el ingreso de una mayor cantidad, que satisfaciendo derecho en proporcion, recaudara la hacienda cuantiosas cantidades para suplir sus necesidades [*sic*], y salir de los apuros presentes.

Estas consecuencias son tan inseparables como *causa y efecto* pero para dar pruebas mas evidentes me remito al estado adjunto por el cual se ve la situacion floreciente del comercio y de las rentas de los Estados Unidos, que se debe atribuir tanto a los moderados derechos como a la integridad de los empleados.

Y para con mayor claridad elucidir estos puntos, supondremos que las Aduanas valuando una vara de indiana que cuesta dos reales y medio la vara, a cuatro, resulta que el derecho que se cobra sobre esta, es de casi real y medio por vara; pero, si con liberales providencias á favor del comercio este aumentare diez veces mas, en cobrando solamente el 15 por ciento sobre dos reales y medio, que es el valor de esta Indiana, el derecho por fin no sera mas de cuartilla y media por cada vara, pero en multiplicando esta cantidad por diez, resultara de que los derechos que se pagaran en estas Aduanas seran de tres reales y medio, pero si comparamos las indianas finas cuyo valor es de dos reales y medio con las ordinarias que valen diez centavos o algo menos de un real la vara, y uniendo el precio de unas y otras producen un valor mediano de algo menos de un real y medio por vara, resultara que en pagando el 15 por ciento de derechos, no se paga mas que una cuartilla por vara, pero que multiplicada por diez, dara un derecho de dos reales y medio por vara, cuando ahora las Aduanas no reciben mas que real y medio: Con esto no solamente se puede adelantar la Hacienda

Nacional, sino tambien favorecer al comerciante, facilitandole el girar sus caudales lo que recae en provecho de toda la Nacion, y particularmente á la clase pobre procurando a esta, vistuarios convenientes y a un precio moderado, la que hallandose bien vestida, se quita al mismo tiempo de esas costumbres viciosas e inmorales que resultan del estado de pobreza y desnudez en que se halla: al mismo tiempo se queda extinguido el contrabando y se restablece el comercio honrado.

Muchas personas sin experiencia pensarán que la reduccion de estos derechos crecidos seraa dañosa á las Manufacturas Nacionales, pero esto es quimerico, porque no hai en este Imperio manufacturas que merescan la proteccion del Gobierno, y si esta proteccion se verifica sera esto contrario a los intereses de las nueve partes de la poblacion para favorecer de una sola, y los que gobiernan deben atender particularmente al fomento de la agricultura, que proporcionara un Comercio util, pues averiguando que los derechos puestos á favor de manufacturas son gravosos a toda una nacion, queda todavia problematico si estos derechos prohibitivos son provechosos a estas mismas manufacturas, aun en sus principios. En todos tiempos se ha admitido, que la experiencia era la madre de la industria, y el alma de las impresas; y que quitando este estimulo con derechos privilegiados, seria provocar un monopolio, que reprime la emulacion, facilitando demasiadamente al fabricante para la venta de sus mercancias, lo hace descuidado, y, con estos derechos prohibitorios, la nacion paga forzosamente Mercancias de inferior calidad a unos precios crecidos. Esto se experimento en los Estados Unidos al tiempo de la ultima Guerra que hubo con la Gran Bretaña: En consecuencia de la interrupcion de las relaciones de comercio por motivo de esta Guerra, los fabricantes aprovechandose de la ocasion de que no habia concurrencia, reduxeron la calidad de sus mercancias, subiendo el valor de ellas a un precio exorbitante: resultado de esto que estos fabricantes no perfeccionando sus manufacturas para que al volver la pas, ellas pudiesen competir con las estrangeras, y en el caso urgente, pedir al Gobierno providencias prohibitivas, ellas al contrario, siguiendo un camino opuesto, se aniquilaron y con ellas se arruinaron todos los que se habian enteresado en estas desastrosas empresas: Con todo ellas pidieron venia del congreso, para poner derechos prohibitivos, pero hasta ahora, no se les ha admitido. No obstante el genio de la industria ha vencido todas estas dificultades, y las Manufacturas de los Estados Unidos, son ahora establecidas sobre unas bases mas seguras que nunca fueron, y sus labores y talleres presepando una escena de industria, produciendo unos paños y otros texidos

de algodón que se pueden comparar á los que vienen de Inglaterra con la sola diferencia, de no estar tan bien teñidos ni preparados.

Dejando a parte este objeto, pasemos al importante ramo de agricultura, y busquemos en el exemplo de los Estados Unidos el modo de sacar imponderables riquezas de este suelo tan fecundo que auxiliado de un comercio libre y sin obstaculos producira en abundancia y casi espontaneamente el tabaco, añil, Arroz, algodón, Azucar café y grana, cuyos precios crecidos en Europa, demuestran cuanto el cultivador seria remunerado por sus labransas. Muchos otros productos se presentan al mismo tiempo para la extraccion, que sirbiendo de pago á los estrangeros, y que aun les seria mas ventajosos, que los metales preciosos, impidiendo al mismo tiempo la salida de estos; Empero esta Agricultura no puede florecer sin la Suprecion de todos derechos sobre la extraccion de sus producciones.

Me parece tambien muy importante que el derecho de Alcavala fuese supremido, como tambien el de guias, porque estos son derechos desconocidos en la mayor parte del mundo comerciante, y contrarios a los principios liberales de un buen Gobierno; sirbiendo estos derechos de oprimir y aniquilar al comerciante y a toda la Nacion; y aunque no tengo suficientes luces sobre este asunto, estoi convencido que el producto liquido que estos derechos causan al Gobierno, no indemnizan a la Nacion de los inconvenientes que le resultan de ellos; mayormente a los comerciantes del centro del Imperio, quienes no pueden por esto hacer sus remesas á los Puertos de Mar sin una perdida del 33 por ciento sobre el principal.

Antes de concluir, diré, que si se continuan estas exacciones estoi con temor de que los comerciantes perderan la buena opinion que tienen del Gobierno, y retiraran sus caudales de la circulacion, lo que ya se experimenta demasiado, pues nada es mas destructivo al comercio que la falta de la inviolabilidad de los Ciudadanos y la de sus propriiedades.

Y al fin de simentar la buena fe en negocios, el Gobierno debe emanar leyes solemnes para el cobro pronto de demandas justas, y para enforzar el cumplimiento de contratos, pues sin estas providencias no hai ni puede haber seguridad en ninguna transaccion o sea publica o sea particular.

Los incidentes politicos que yo he presenciado en el curso de 48 años de experiencia, me aseguran la conclusion que yo he sometido rendidamente en estas concideraciones, que ha producido mi celo por la felicidad de este hermoso suelo, y aseguro que si ellas son adoptadas y puestas rigorosamente en execucion, el comercio, la agricultura, la

hacienda publica y todos los recursos de este Imperio se dilataran, y floreceran de un modo inesperado.

A cuyo cumplimiento se reunen no solamente todos los amigos de este Imperio sino asi mismo todos los Filantropos, y todas las personas beneficas y humanas, a las cuales se agrega

de S. M. Imperial
el Devoto y fiel
amigo y Serbidor

JA: WILKINSON (rubric)⁴

REFLEXIONES ACERCA LA PROV.^a DE TEXAS SEGUN SU
PRESENTE ESTADO, Y EL Q.^e PUEDE TENER CON
SU POBLACION PARA AUMENTO Y SEGURIDAD DEL
YMPERIO.⁵

Contiene esta Provincia quando menos, veinte y cinco mil leguas quadradas de tierra enriquezida de producciones apreciables, y susceptible de quantas otras preciosas y necesarias para el comercio interior y exterior, quiera exigirle la oficiosa mano del industrioso; pero este precioso terreno ha estado inculto, y desierto, como salio de las manos de la naturaleza, sin q.e en su basta extencion se vea mas que uno ú otro pueblo corto, fabricado de lodo, habitado de gentes semi salvajes ó indolentes, q.e en vez de ser utiles, son embarasos al pais que habitan, y esta gran parte del Ymperio Mexicano, que puede considerarse en la actualidad como una guarida de bestias, y quadrillas de barbaros, puede en muy poco tiempo transformarse en el mas agradable suelo.

Vna Poblacion de gentes aplicadas al cultivo de sus fertiles campiñas en todo genero de agricultura: unos Gefes q.e protejan la industria, y las franquias q.e la politica del sabio gobierno les conceda por aquel

⁴ The following note, made perhaps by the translator of the manuscript into Spanish is found at the end of this document:

"Este Memorial se compuso en el mes de Septiembre ultimo pasado y su traduccion se verifico en el mes de este mes de Octubre [*sic*], y se presento en este mes de Noviembre de 1822.

⁵ At its beginning, this document bears the following title, perhaps written in English by Wilkinson himself on his English original, or on the Spanish translation by a clerk or archivist:

"Reflexiones que sobre la Provincia de Texas hace a S. Exselencia D.n Manuel Herrera el General James Wilkinson deseoso de la felicidad del Ymperio por S.M.Y. [*i.e.*, His Imperial Majesty]."

Manuel Herrera was at that time Minister of Foreign Relations.

numero de años q.e se juzgue necesario para su perfecto establecimiento, no solo atraieran la abundancia a sus limitrofes, sino q.e abriran las puertas a las exportaciones de los frutos del país, por los puertos q.e al efecto habilite el gobierno; y a las importaciones de los articulos necesarios de fuera, mientras las manufacturas no se fomentan y llegan a su perfeccion, principio del fecundo manantial de riquezas de un estado, que es el comercio.

Que prespectiba tan agradable se presenta a la imaginacion al considerar la Prov.a de Texas, y sus costas transformadas, de un asilo de piratas y asesinos, en poblaciones hermosas segun la policia y gusto moderno, habitadas de gentes Catolicas cultas, manufactureras, y dedicadas a toda especie de industria; sus costas y puertos frecuentados, no ya de aventureros, contrabandistas, ó tal vez facinerosos enemigos del Ymperio, sino de comerciantes que extrayendo n.tras producciones, nos provean de las de fuera, dejando a cierto determinado tiempo las utilidades de los derechos q.e causen sus mercaderias; los campos enriquezidos con abundantes mieces, y de ganados: Plantios de los mas deleitosos frutos, y lo que es mas, progresando la poblacion de este basto continente, de hijos amantes al país en que nacieron, de sus padres agradecidos porq.e en el se sostienen, y por consecuencia forzoza, de fieles amigos q.e defiendan sus propiedades, y al estado q.e les ha dado fomento, de los q.e acaso injustamente intenten imbadirlo por tan remotas partes.

Pero se preguntará como podra realizarse tan agradable y lisonjera prespectiba, y confiadamente puede responderse, que con la liberal y sabia politica del gobierno Mexicano; haciendo repartimientos en dho territorio en hombres de honor, principios y caracter para los establecimientos de aquellas desiertas regiones, sin permitir, que otras personas se introduzcan en ellas q.e no sean aprobadas por su religion, por su conducta, por sus utiles ejercicios por ser aquellas las fronteras del Ymperio con los Estados Unidos, con quienes deberan guardar una armoniosa union, sin dar lugar a desabenencias, fijando con anticipacion sus limites, para q.e por ni[n]gun caso se traspasen por una ni otra nacion, ni alteren la armoniosa correspondencia q.e deben conserbar, como separadas de todas las demas del Globo, haciendo mutuos sus intereces y seguridades, y formen por las convenciones q.e se celebren entre ambas potencias, un cuerpo politico, y estrechadas con los mas robustos ligamentos, contraresten y se opongan á las coaliciones destructoras de su amistad y tranquilidad.

Para la correspondencia mercantil es indispensable consultar los mapas mas exactos; en ellos se advertira q.e sobre el Rio Sabina esta la linea de damarcacion, y ella se halla á igual distancia de Mexico y Washington, con la diferencia q.e la frontera de los Estados Unidos es fragosa por tener en su intermedio las montañas de Apalache, desiertos y Rios caudalosos.

Poblado por toda su extencion, este remoto distrito, debera tenerse la mayor precaucion p.a desterrar de el los bagabundos de unos y otros paices, por ser asi muy conducente al mejor establecimiento, al buen orden, a la paz, y tranquilidad tan importante al progreso de la industria, q.e tomara tanta mayor fuerza y energia, quanta mayor fuere la eficacia en escoger para la poblacion individuos Catolicos de buena fama, q.e tengan algunas propiedades, y sepan aprovecharse de la feracidad del suelo y de su clima, cuyos beneficos efectos, pueden ser anticipados por los mas Sanguinarios enemigos del Ymperio; pero q.e si este previene con prontitud, sus providencias p.a embarasar crisis tan funesta, verá felizmente establecida la mas actiba agricultura, floresera el comercio, frecuentados sus Puertos de Mar, establecidos Arzenales para la construccion de Navios, q.e tanto interesa a una nacion naciente, para sus fuerzas maritimas, y en todas partes dentro de pocos años se verán con agradable asombro, Ciudades y Poblaciones en q.e sus habitantes exerciten las artes; y la moralidad de estos, su buen orden, su fidelidad al gobierno q.e ha preferido, su suavidad y dulzura, por su personal interez; y sobre todo por su religion, se ganaran del gobierno toda [sic] su aprecio para su pronta consolidacion, y garantizará sus conveniencias, y su seguridad será inviolable.

Si hubiere descuido, ó morosidad en establecer y tomar tan saludables precauciones, y las puertas de la Prov.a de Texas quedan abiertas a la admision de todas las personas q.e se presenten para establecerse en ella, sin las consideraciones y circunstancias q.e se han explicado, vendria a ser el asilo de insolventes, piratas, asesinos y ladrones, fugitivos perseguidos de la justicia, y proscritos de otras naciones y ¿podra esperar el Ymperio de semejante reunion de viganos, industria, orden, tranquilidad, bien publico, auxilios personales y fidelidad? ¿habra hombre de bien y util por sus ejercicios y por su religion q.e quiera vivir en Sociedad con tales conciudadanos? No, no, ni el Ymperio deve esperar fidelidad de estos errantes, desmoralizados, indolentes para el trabajo, prontos para todos los vicios, insensibles a la dulzura de la amistad social, y siempre repugnantes a una vida civil y permanente; ni individuos de principios, de conducta, algunos bienes y religion, se

asociaran con aquellos, de quienes no deben esperar sino perjuicios en lo físico y moral; digalo el exemplo del impostor Long.

Hombres de el caracter pernicioso q.e he delineado, son siempre impasientes, y jamas se sujetan a Leyes Divinas ni humanas, y en unos establecimientos solitarios y distantes de la influencia de exemplos virtuosos y civiles, y tan separados del fuerte brazo de la autoridad, se entregarán a sus costumbres viciosas y estragadas, robos, rapiñas, asesinados, a q.e los obligara la miseria hija de su peresa, y las rebeliones seran las consecuencias q.e obligarán al Ymperio a levantar sus armas para expeler a estos sujetos del pais con que se les brindo para su felicidad.

Yo he percibido q.e se ha propuesto introducir un gran Cuerpo de Europeos para verificar el propuesto establecimiento, y yo debo suplir se me permita hacer presente lo expuestá q.e es al Ymperio esta medida, fundado en las razones siguientes.

1.a Tan solamente la clase de individuos mas indigentes pueden emprender transmigrar de un saludable clima Europeo a los llanos abrasadores de Texas; Estos miserables abentureros q.e con propiedad pueden reputarse por estrangeros, para su aprovechamiento particular, y progresos del Ymperio, tienen indispensablemente q.e hacer considerables desmontes, para el cultivo de las producciones de q.e es susceptible aquel temperamento, como Azucar, Café, Algodon, Tabaco y tal vez Añil y Grana: por los efectos conocidos de aquel clima, juiciosamente pues, se puede calcular q.e de los Europeos q.e emigrarán, moriran mas de la mitad en la variacion de las estaciones, como lo tengo experimentado por personales observaciones, y los q.e queden abandonaran la Prov.a inmediatamente.

2.a Porq.e nunca sera conveniente que la politica del Ymperio de Mexico, q.e tan resientemente ha proclamado su independencian de la Europa, piense traer de aquellas partes pobladores para sus remotos desiertos, sin q.e antes aquellas Naciones reconoscan la independencian proclamada.

3.a Porq.e debe justamente temerse q.e el Ymperio se esponga a intrigas ostiles del poder Europeo, q.e le sera muy facil introducir en la Prov.a una fuerza militar, ó con la apariencia de emigrantes colonos, ó por medio de otras combinaciones de la politica de los Gabinetes.

4.a Porq.e la introduccion de un Cuerpo de Emigrados Europeos a la Prov.a de Texas, limitrofe a los establecimientos de los Estados Unidos, puede exitar a los zelosos, y revivir rencores y tirrias, q.e dando animosidad exponga la paz y armonia de las dos potencias, quando son las bases esenciales de sus mutuos intereses, seguridad y felicidad.

Mi juicio es muy falible, y puedo acaso ser inclinado por preocupaciones personales, pero se que amo al Ymperio Mexicano independiente dentro de mi corason, y deseo su establecimiento de un modo q.e lo haga floreser, respetar de las demas potencias que por desgracia se declaren sus ribales, y en fin q.e perpetúe la paz y felicidad.

Estos sentimientos me obligan a proponer q.e la parte mas preferible p.a el establecimiento de q.e se trata en la primera plantacion deben ser de la Louisiana y Florida, descendientes de Españoles y France[se]s q.e han vivido mucho tiempo bajo el gobierno español, q.e han nasido y se han criado en su vesindad, y acostumbrados a la cultura de los productos del clima, y con el tiempo si el gobierno Mexicano lo juzgare necesario, se pueden aumentar las poblaciones con familias catolicas de los Estados Unidos en donde hay miles de miles de estos habitantes, que en las propuestas circunstancias apreciarán cambiar su residencia.

Si este plan de Poblacion hallare acogida en el concepto de S. M. Y. será necesario hacer la particion de Texas, y formar una nueva Prov.a, cuyos limites por el Oriente sea el Rio Sabina, el Rio Colorado de los Estados Unidos por el Norte, el Rio Colorado de Texas por el Occidente, y la costa del Seno Mexicano por el Sur, y esta Provincia se debera llamar Yturbide, en memoria de su fundador, debien do ponerse al Gobierno de un oficial de honor, fidelidad, inteligencia, disposicion, y de una fina politica, para consiliar con sagacidad y prudencia, quantos extremos dificultosos puedan presentarse en las dibersas ramificaciones que se toquen para la nueva fundacion.

Las consecuencias de este establecimiento desterrara todo temor, pues en el termino de tres años, ó por ventura en menos, se esperimantara su importancia. Un cuerpo de milicias bien organizado, armado, y sugeto a S. M. Y. formará una barrera q.e resista inbaciones externas: estrechará a las Nàciones barbaras a mantenerse en paz; y sera el freno del espiritu rebolucionario q.e intente sacar la caveza en las provincias internas, de lo q.e no me faltan algunos aprehenciones. En diez años las exportaciones de la Provincia en Azucars, Algodones, y Tabaco solamente, pasara de dos millones, y sus rentas, aun con derechos moderados, rendiran al Ymperio considerables sumas, que sin desembolsos sufran qualesquiera gastos civiles, militares y eclesiasticos; y al mismo tiempo el exemplo de las autoridades, la industria obrará imperiosamente, y con admiracion de los Pueblos adyacentes; desapareserá el osio, excitará los mas saludables exfuerzos, desbiará de los pensamientos especulaciones politicas, y dirigirá todas sus atenciones a sus labores y ganancias.

Estas reflexiones son frutos de muchos años de observaciones, sobre el progresivo adelantamiento en esta parte de los Estados Unidos, fixada en el Occidente de las montañas de Apalache, y atravesadas por los grandes Rios Ohio y Misisipi, con sus grandes y varias tributarias corrientes; las somete con la mayor y profunda difidencia a V. E. para que se digne transmitir las a la consideracion de S. M. Y. el hombre que guarneció y cubrió con cristales, la primera ventana en el estado de Kentucky: que ha conducido el primer buque de comercio de los establecimientos occidentales de los mismos Estados, bajando el Rio Misisipi a la ciudad de nueva Orleans, que en Diciembre de 1803 como comisionado de su Gobierno, recibio del Prefecto Lausatt Agente de Napoleon, la rendicion de la misma ciudad y Provincia de la Louisiana, y este mismo tiene el honor de subscribirse en persona y tributar a V. E. sus mas profundos respetos como su obsequente servidor.

JA: WILKINSON (Rubric)

Mexico Noviembre 18. [18] 22

BOOK REVIEWS

Los Extranjeros en Venezuela: Su Condición ante el Derecho Público y Privado de la República. By DR. SIMÓN PLANAS SUAREZ. 2d ed. (Lisbon: Centro Tipográfico Colonial, 1917. Pp. 368.)

This is a second edition, revised and enlarged and brought to date, of a book published at Carácas in 1905. The author is a Venezuelan and considers that he is performing a patriotic service in setting forth to the world the advantages and privileges which his country offers to prospective immigrants. The work is technical and intended as a practical manual for executive and judicial officials in Venezuela and the legations and consulates of that power in foreign countries and for foreign diplomatic and consular officials in Venezuela; but it has an interest for the student of general conditions in this interesting and important South American country. Students of history will be especially interested in his introductory essay on "Foreigners in antiquity, the middle age, and modern times." From the Greek attitude of eternal war on the barbarians and the early Roman total disregard of the rights of foreigners, he traces the changing sentiment through the middle ages, which he says was due to the Christian teaching of the essential unity of the human family. The law of nations as conceived today, he thinks, had its birth in the Christian idea. Modern commercial relations and scientific discoveries, he adds, have brought mankind into such intimate relations that frontiers have practically disappeared and the individual has a universal country, where his person, his dignity, and his independence are preserved intact. In most respects, foreigners now enjoy, he says, the same privileges as nationals. The only important differences are that the former are deprived of certain political rights and, in case their presence might be dangerous to the state may be excluded or even expelled.

His first chapter treats of the admission of foreigners, first in general and then in Venezuela; the second, on the expulsion of foreigners, after giving the provisions of Venezuelan laws with explanations, adds a brief résumé of the laws for expulsion in sixteen other countries, which makes this chapter of much wider interest and value than most of the others. The remaining chapters treat of the following subjects: civil

rights of foreigners; political and public rights and duties; claims against the nation by foreigners; nationality and how it may be acquired; international penal law; foreign ships in Venezuelan waters; and immunities and privileges of foreign diplomatic and consular agents.

For a book on a highly technical subject the style is pleasing. There seems to be needless repetitions of the same ideas with only slightly changed constructions and relations. Many of these, however, occur in quotations; and others are doubtless a result of the operation of the legal mind in its effort to heap up arguments, precedents, and opinions to support its contentions.

W. R. M.

Los Estados Unidos de América y las Repúblicas hispanoamericanas de 1810 a 1830. By FRANCISCO JOSÉ URRUTIA. [Biblioteca de Historia Nacional, volumen XX.] (Bogotá: Imprenta Nacional, 1917. Pp. XII, 423.)

Between the title of the volume, as given above, and the title of the series, given in brackets, and in more conspicuous type than either, appears the title, "Páginas de Historia Diplomática". The editor of this interesting collection of documents is a member of the National Academy of History of Colombia, and of the American Institute of International Law, and an author of several books dealing with international law and diplomatic history. The title which he has chosen for this book describes it fairly well so far as the period from 1810 to 1822 is concerned; but thereafter it is confined almost wholly to the relations between Colombia and the United States. A brief résumé is given, to be sure, of the relations between the United States and several other Latin American countries after that date; but it is taken from, and properly credited to, W. S. Robertson's *First Legations of the United States in Latin America*. Indeed there is comparatively little other than Colombian material later than 1817.

Dr. Urrutia states that through the special favor of Secretary Lansing he had been permitted to use the manuscripts in the archives of the Department of State in Washington. The volume entitled *Papers Relating to the Revolted Spanish Colonies* furnished most of his documents for the period 1810-1822. The later documents used are found in various manuscript volumes. In addition to the documents copies in Washington he says he has taken others from the diplomatic archives of Colombia. And to complete the documentation of the first part he says he has copied a few from the printed collections of Cadena and O'Leary. For his illuminating historical introductions he has drawn from several secondary authorities, quoting frequently and extensively.

The first sheaf of documents, seven in number, illustrate the Venezuelan mission to the United States in 1811 and 1812 entrusted to Juan Vicente Bolívar, Orea, and Revenga. The second, of three documents, deals with contemporaneous New Granadian missions. The next group, of nine documents, comprises communications from various Spanish American governments to that of the United States from 1811 to 1819. Then follow two documents concerning Aguirre's mission in 1817 representing both Argentina and Chile; and then two announcing a projected Venezuelan mission in the same year. The following eleven documents elucidate the plans of the Venezuelan, Clemente, and his associate, Pasos, for taking forcible possession of the Floridas in the name of the new governments and the conflicting plans of the United States. The next, by far the largest bundle of documents, twenty-two in number, deals with the mission conferred on Manuel Torres (who had long been a resident of the United States) as the representative of Great Colombia from 1819 to 1822, culminating in his official reception by the government at Washington, which was the first formal recognition by that government of any Hispanic American country.

The foregoing with their historical introductions constitute Part One of the volume and occupy about one half of it. Part Two, covering about forty pages only, reviews the steps leading to the act of formal recognition by the United States, including the often printed recognition message of March 8, 1822, the report of the House of Representatives Foreign Relations Committee on it, the protest of the Spanish Minister, and the reply of Secretary Adams.

Part Three, covering the rest of the volume, is entitled "the first diplomatic missions of the United States to the Latin American Republics." But after the brief résumé, mentioned above, it is devoted entirely to Great Colombia. There are three full documents and a brief résumé of various other communications, arising out of the mission of Charles S. Todd in 1820. Then follows six documents, and a résumé of several others, belonging to the mission of Richard C. Anderson, who was at Bogotá from 1824 to 1826 and negotiated the first treaty with Colombia, which served as a model for many others with other powers. Next come four documents written during the year 1827 when B. J. Watts was chargé. Eleven documents bear on the very interesting mission of (the later President) William Henry Harrison in 1829, whose hostility to the schemes of Bolívar gave rise to much criticism and to a belief that he was furthering the interests of the United States at the expense of Colombia, as Poinsett was charged

with endeavoring to do at the same time in Mexico, and led to his early recall. The last group, of twelve documents, running from late in 1829 to the beginning of 1831, belong to the mission of Patrick Moore.

Covering the entire history of the relations between the United States and Great Colombia as it does, and being in a field where very little has been published and much remains to be published, this collection is not only very interesting but valuable as well; even though it does fall far short of all that its title leads one to expect. If the work could have been made large enough to include the full text of all documents mentioned it would have been much more valuable. But that would probably have required more than a single volume. It would take many volumes to include all of the documents legitimately comprehended by the title. Of the documents merely outlined some are contained in American State Papers, Foreign Relations, but most of them are not. Of those printed in full some appear in English in the same publication. In some cases citation is made to the published documents. In other cases no citation appears. Several of the documents are also contained in other books in Spanish, mentioned in the footnotes.

Unfortunately, many errors due to insufficient care in transcribing or in proofreading, or both, mar an otherwise creditable and useful book. For example, on page 301, is mentioned a note, of December 20, 1822, for which citation is made to American State Papers, Foreign Relations, IV, 851. The year should be 1825, and the volume, V. Many other errors in dates and references occur. On page 76, and in some other places, David C. de Forest appears as David C. Foster; on page 306 John Quincy Adams is disguised as John A. Adams; and on page 281 Iturbide parades under the alias Ilubirde. W. R. M.

The Federation of Central America. By WILLIAM F. SLADE. [A dissertation submitted to the Faculty of Clark University. Reprinted from the *Journal of Race Development*, VIII. nos. 1 and 2, pp. 79-150, 204-275.] (Worcester, Mass.: 1917. 1 plate.)

This monograph forms a useful contribution to the complicated and obscure political and diplomatic history of Central America, with special reference to the relations between the United States and the five republics. Applying the pathological suggestion of the title of Señor Mendieta's work, *La Enfermedad de Centro-América*, it may be said that the author has given us in few pages the complete case of Central America, anamnesis, diagnosis, and therapeusis.

Chapters 1-9 summarize the history of the various abortive efforts toward federation: (1) causes of failure before 1823; (2) the United States of Central America, 1823-1842, outlining the involved history of the "Provincias Unidas del Centro-América," and the operations of Morazán and Carrera; (3) efforts and failures, 1842-1864; (4) Walker's filibustering failures, 1856-1865; (5) the attempt and failure of Barrios, 1872-1885; (6) the aftermath of the defeat of Barrios, 1885-1894; (7) the Greater Republic of Central America, 1895-1898; (8) conferences and treaties, 1902-1907; (9) the Central American peace conferences, 1907-1915.

Chapter 10, "Obstacles to federation", forms the second part of the study, in which the author inquires as to the obstacles and discusses more fully the causes of failure. Eight obstacles are considered, "any one of which would have proven serious", and which "together have been and are unsurmountable": (1) the jealousy of the states; (2) the revolutionary habit of Central America; (3) the corruption of political life; (4) the character of the population, "made up of the descendants of the Spanish colonists, Indian aborigines, and negroes freed in 1821;" (5) sparseness of the population; (6) the policy of the United States; (7) British interference; (8) the ambition of Mexico.

Chapter 11, "The realization of federation", completes the study and suggests the remedy: "The stability without which Central America may not prosper, whether united in one state, or split up as at present, can be attained only by outside help. The strength of the United States must be put at the service of the small and weak neighbors"; and again, "To secure this great end—the union of the Central American republics under one well-ordered federated government—the United States would be clearly justified by the principles of international law, in adopting a policy of temporary intervention. If intervention is to take place, the Monroe Doctrine forces the obligation upon the United States."

It will be seen from the above that the author departs from the beaten paths of historical investigation and enters the field of practical politics. His conclusion invites a sharp divergence of opinion. It seems to the present reviewer that, before reaching his conclusion in this question, which is of continental significance, the author should, without subjecting himself to the charge of being moved by a "whimsical sentimentality and lyric idealism", have considered the application of collective action, Pan Americanism, continental concert, or whatever we may denominate it. This principle has twice been

invoked; once in 1907, by the joint action of the United States and Mexico in regard to Central America, and again, recently, by the conference of the United States and the A. B. C. powers in regard to Mexico. Moreover, the present time, when the world order is in chaos, seems particularly opportune for developing those relations of friendship and mutual interest which should unite the republics on this continent, and for destroying the mistrust and fear of "el imperialismo yanqui," unfortunately prevalent throughout the sister republics, and nowhere more so than in the Caribbean area. In this connection, the reviewer wishes to refer to three recent opinions relative to the subject: (1) Señor Alemán Bolaños, *Centro y Sud-América*; Secretary Lansing's article in the March number of *Munsey's Magazine*, considering the Monroe Doctrine in relation to Pan Americanism; and (3) Señor García Calderón's thoughtful paper "El Panamericanismo", in *Revue Hispanique*, for June, 1916—"Panamericanismo o germanismo, tal parece ser para nuestras democracias el dilema ineludible."

Dr. Slade's monograph is equipped with a working bibliography and running footnote citations to authorities. To be regretted is the disregard for the orthographic proprieties in regard to the Spanish names, but too common, unfortunately, in publication from the press of this country.

C. K. JONES.

Handbook of Manuscripts in the Library of Congress. (Washington: Government Printing Office, 1918. Pp. xvi, 750. Index. \$0.65.)

The title-page of this useful handbook carries no editor's or compiler's name, but the "Prefatory Note", which is signed by Gaillard Hunt, Chief Manuscript Division, states that the "handbook is the co-operative product of the several members" of the Manuscript Division. "Mr. Van Arsdale B. Turner . . . wrote the first draft of a great part of it; Mr. John C. Fitzpatrick read the proof and indexed the larger part of it; Miss Emily B. Mitchell contributed the part which covers the French and Spanish transcripts," while Mr. Hunt himself "prepared a number of the items".

In the prefatory note is "a grouping of the larger collections under broad subjective heads", and the material is arranged in alphabetical order under large main captions. The comprehensive index (pp. 545-750) furnishes an excellent key to the contents of the volume. With its thin paper and excellent printing, the volume makes a pleasing appearance. It is marred by a number of type errors, as for instance,

on p. 19, "Liego Velasquez" for "Diego Velasquez", p. 20, "dairy" for "diary", p. 22, "Solarzano" for "Solorzano", and on p. 22, "Ausa" for "Ansa", and "Gareés" for "Garcés".

Many documents and series of documents touching the history of Hispanic America are listed or described in general terms. The greater part of such material is listed under the following captions: America, Spanish Colonies, pp. 19-23; Central America, pp. 57, 58; Florida, pp. 121-124; Louisiana, pp. 228-230; Woodbury Lowery, p. 230; Mexico, pp. 286, 287; Mississippi, p. 273; New Mexico, pp. 286, 287; South America, pp. 381-383; Spanish Inquisition, pp. 386-388; Transcripts from Foreign Archives—Cuban transcripts, pp. 443, 444, Mexican transcripts, pp. 452-457, Spanish transcripts, pp. 458-462; West Indies—especially Cuba, pp. 525, 526, Porto Rico, pp. 527-529; Agustin de Yturbide, pp. 538, 539. However, important material is found listed under other captions, as is readily seen from the index.

Among the manuscripts of the collection, "America, Spanish Colonies", there is considerable material, among it, being manuscripts by or about Columbus, Vespucci, Cortes, Balboa, Diego Velasquez, Nodal, Las Casas, Oviedo, Drake, Duran, and Font, many of which are copies of the originals; while there are also a series of letters from ecclesiastical persons of the island of San Domingo (1517-1518), royal cédulas (1508-1807), Peruvian material, etc. In the collection on "Central America", the countries of Guatemala, Honduras, Nicaragua, Panama, and Salvador are represented, although there is nothing of transcendent importance among these manuscripts. Of more importance are the manuscripts of the collection "Florida". This collection contains among other material, the old document of the Archives of East Florida, ceded to the United States with that territory, and which were transferred to the Library of Congress in April, 1905, from the office of the Surveyor General at Tallahassee, Florida, by the Department of the Interior. In all, there are over 1,000 portfolios in this collection, with a total of over 65,000 manuscripts, ranging in dates from 1777-1821. All the land documents referring to titles, surveys, etc., were removed and are still in the General Land Office. The documents cover a multitude of subjects, and comprise reports, royal orders, accounts, shipwrecks, protests, civil and criminal causes, clearances of ships, matters pertaining to various districts and rivers, correspondence, etc. Much of the correspondence has considerable value, for it covers a wide range, including letters to and from the Exchequer, correspondence with the British authorities, letters to and from the Captain General

of Havana, letters from the Viceroy of Mexico, letters to and from the Council of the Indies and to and from ministers and consuls, military letters, and secret correspondence with Conde de Galvez. A complete list of these documents would be of considerable value, but the making of it would be no small task. In the same collection are found also a number of documents made by Miss A. M. Brooks from the Biblioteca Colombiana in Seville, but these manuscripts, unfortunately, are not very serviceable and any scholar making use of them should compare them with other copies. The Florida Collection contains also a few Stevens and Force documents, one being the Memoir by Hernando D'Escalente Fontenada (1575) and another, Laudonniere's *Notable History*.

In the Louisiana Collection are found various papers touching the activities of the Spaniards, in addition to the 2,089 photographic prints of the official civil despatches from the Governor of Louisiana to the captain-general of Cuba, 1766-1791, from the "Papeles procedentes de la Isla de Cuba" in the archives at Seville—one of the ten sets made for the Historical Research Department of the Carnegie Institution of Washington. The Woodbury Lowery Collection consists of eighteen volumes of transcripts and notes collected by Lowery for his *Spanish Settlements*. Of these volumes ten have to do with Florida (1551-1800), five with New Mexico (1538-1800), and two with California (1588-1800), Texas (1673-1803), and Louisiana (1766-1803), and one is a miscellaneous volume, dating from 1522. Many of the documents of the Mexican Collection have considerable value and will be found in part at least to supplement the manuscripts of the Bancroft Collection in the University of California. In the Mississippi Collection will be found some Gayoso de Lemos papers, and other interesting border material. The New Mexican Collection consists of the Spanish and Mexican archives which passed to the United States with the cession of New Mexico. These were transferred from Santa Fe in 1903. The manuscripts, which cover the period 1621-1843, have been arranged chronologically in 180 portfolios and are readily accessible. The South American Collection contains various general items, and items concerned with Argentina, Brazil, Chile, Colombia, and Peru. The documents of the Spanish Inquisition Collection consist of twenty volumes and papers relating to the activity of the Inquisition, especially in Mexico. The Cuban transcripts of the collection of "Transcripts from Foreign Archives", were obtained through Miss Elizabeth Howard West, formerly of the Texas State Library and

now librarian of the Carnegie Library of San Antonio, Texas. These manuscripts, which are covered by author cards, consist of 1,260 type-written blueprint copies made from the originals in the Archivo Nacional de Cuba, and are concerned chiefly with the Spanish Colonial trade and Indian policy. Two Galvez letterbooks treat of Spain's part in the American Revolution.

The Library of Congress in 1913 entered into a coöperative plan with the Universities of Texas and California for the obtaining of transcripts from Mexico, but the work, undertaken under the direction of Dr. W. E. Dunn was interrupted soon after its inception. The *Handbook* does not make clear whether any manuscripts were received from this source. The Mexican transcripts do, however, include 2,862 pages on the history of Texas and 2,805 on the history of New Mexico, which were obtained in 1915 through Professor H. E. Bolton of the University of California, and photostat copies of four volumes obtained in 1915 through Professor Eugene C. Barker, of the University of Texas. An itemized statement of the contents of these four volumes is printed in Bolton's *Guide to the Materials for United States History in the Archives of Mexico* (Washington, 1913). Still other material was obtained through Professor W. R. Manning of the University of Texas, in the shape of photostat copies from transcripts made by Dr. W. E. Dunn. Of the material from Mexican archives, there is a fairly complete account in the *Handbook*. As will be seen, most of this material is available in two or more centers.

The Spanish transcripts from the Archivo de Indias at Seville, were begun in 1914 by Dr. W. E. Dunn, who was still continuing the work in 1917. Documents have also been procured through Miss Irene Wright, and Dr. Charles H. Cunningham, of the University of Texas. The papers selected by Dr. Dunn are very important and relate generally to the history of the Southwest, although some few relate to Florida and Virginia. The papers selected by Miss Wright (1580-1821) relate to Florida, Virginia, and other parts of America. The documents collected by Dr. Cunningham relate to the part played by Spain in the American Revolution, Spanish relations with the English and the American colonies, Spain's northward advance into Arizona and New Mexico in the sixteenth and seventeenth centuries, and the northward expeditions along the Pacific coast during the period 1524-1827. This is a very important lot of material and will prove of great use to the student of Hispanic America, especially that part which has to do with territory now a part of the United States.

Much of Dr. Cunningham's material is available also at the University of California and in the Ayer Collection of Newberry Library, Chicago. There is considerable material on Cuba, although generally not of the highest importance, and some on the history of Porto Rico which was selected from the archives of that island located at San Juan, covering the years 1591-1886.

In this hasty review of the Hispanic American manuscript material noted in the *Handbook*, it can be seen that there is an immense amount of prime source material available in the Library of Congress for the study of the history of Hispanic America. This relates in very great measure to Spanish and Mexican relations with territory now included in the United States. Indeed, for territory outside this country, or not contiguous to this country, the material is rather limited, although some of this is of considerable value. It is hoped that the Library of Congress will carry the *Handbook* one step farther by publishing calendars of some of the most important of the collections enumerated above, or at least complete lists of documents.

JAMES ALEXANDER ROBERTSON.

The Virgin Islands of the United States of America; Historical and Descriptive, Commercial and Industrial Facts, Figures, and Resources.

By LUTHER K. ZABRISKIE. (New York: G. P. Putnam's Sons, 1918. Pp. xvii, 339. Index, illustrations, portraits, facsimiles, and maps.)

The islands, about which Mr. Zabriskie (formerly vice-consul for the United States of America at St. Thomas) has written, were known for some two and one-half centuries as the Danish West Indies or the Danish West Indian Islands. Columbus is presumed to have discovered the islands in 1493; but their historical records date from March 30, 1666, when Erik Smidt, a Dane, took possession of them for Denmark. After negotiations covering a half century, Denmark ceded them to the United States on March 31, 1917, in consideration of the payment of \$25,000,000, United States gold.

From many points of view, these islands have at this time a peculiar interest for American readers, who will welcome the complete and authoritative work of Mr. Zabriskie. The volume, with its 109 illustrations and two maps, contains an account that is aptly described in the title. Some 85 of the pages of the book are devoted to an account of the sale negotiations, discussion of the sale, official documents (including the convention between the United States and Denmark), farewell service, formal transfer, and the first American governor, all

of which is of historic value as well as of absorbing interest, forming, indeed, in some respects the most valuable part of the work. Mr. Zabriskie has clearly taken advantage of the opportunities which his official residence at St. Thomas afforded him. His book is one of rare completeness and value, which persons who have an interest in these new possessions, whether historical, social, educational, commercial, agricultural, or industrial, will read with profit. Great credit is due the author for the manner in which he has presented so vast an amount of historical material in limited space.

HARRY ERWIN BARD.

NOTES AND COMMENT

Readers of this REVIEW who are not in close touch with the work of the Carnegie Endowment of Washington will be interested to know how many of the institution's activities are of interest to students of Hispanic America. Since its organization seven years ago one of the Endowment's cardinal policies has been to cultivate closer relations between the governments and peoples of the American continent in order still further to strengthen the already strong sentiment in favor of international peace. As a result of this activity the books and pamphlets in the first list below have already been issued, some being for sale and others for free distribution:

Intellectual and Cultural Relations between the United States and the other Republics of America, by H. E. Bard, 1914. Pp. iv, 35. This is a report of a tour of the principal capitals of South America by a party of university men under the auspices of the American Association for International Conciliation, which organization is virtually a part of the Endowment.

Former Senator Burton's Trip to South America, 1915, by O. Schoenrich. Pp. iv, 40. Senator Burton, the author, and a newspaper correspondent together visited the capitals of all South American countries except Colombia, Venezuela, and Ecuador, exchanging opinions and courtesies with public men in order to stimulate the growing sentiment of cordiality.

For Better Relations with our Latin American Neighbors, by Robert Bacon, 1916. Pp. viii, 208. The first fifty-six pages contain a report of Mr. Bacon's tour through South America in the latter part of the year 1913. The rest of the book is occupied by appendices containing English translations of documents giving detailed accounts of the principal events of the tour. Bound in the same cover, and occupying about the same number of additional pages is a Spanish translation of the report followed by the same appendices in the original Spanish, Portuguese, and French. The two parts of this were first published separately in 1915.

Le Droit International de l'Avenir, by Alejandro Alvarez, secretary of the American Institute of International Law, 1916. Pp. iv, 154. This is a study in the light of the present war of ideas and proposals concerning future international organization, having in mind especially the problems confronting the American nations.

Institut Américain de Droit International: sa Declaration des Droits et Devoirs des Nations, by James Brown Scott, president of the Institute, 1916. Pp. vi, 128. Besides the study of the rights and duties of nations this explains the origin, purpose, and organization of the Institute.

Instructions to the American Delegates to the Hague Peace Conferences and their Official Reports, edited with an introduction by James Brown Scott, 1916. Pp. vi, 138.

Recommendations on International Law and Official Commentary thereon of the Second Pan American Scientific Congress held in Washington, December 27, 1915 to January 8, 1916, edited with introductory matter by James Brown Scott, 1916. Pp. viii, 53.

South American Opinions on the War: I. Chile and the War, by Carlos Silva Vildósola; *II. The attitude of Ecuador*, by Nicolás F. López, translated by P. H. Goldsmith, 1917. Pp. iv, 27.

Recommendations of Habana Concerning International Organization, adopted by the American Institute of International Law at Habana, January 23, 1917: address and Commentary by James Brown Scott, president, 1917. Pp. vi, 100.

Early Effects of the European War upon the Finance, Commerce, and Industry of Chile, by L. S. Rowe, 1918. Pp. xii, 63.

The Five Republics of Central America: their Political and Economic Development and their Relations with the United States, by Dana G. Munro, 1918. Pp. xviii, 332.

While, with exception of the last, these are not historical treatises, yet, in addition to their present-day value, they will all be useful to the future historian as contemporary source material for the history of the present epoch. Because of its historical, in addition to its present-day value, the last will be more extensively noticed in a subsequent issue of this REVIEW.

The following publications concerning Hispanic America have been arranged for, some being now in press and others soon to be:

Pan Germanism in Latin America, by Haring; *History of the American Peace Movement*, by Johnson; *Effects of the Present European War on the Industry, Commerce, and Finance of Bolivia*, by Luitweiler; *Effect of the European Conflict on the Trade, Industry, and Finance in Peru*, by Rowe; *Effects of the Present European War on the Industry, Commerce, and Finance of Venezuela*, by Roorbach; *Effect of the Present European War on the Industry, Commerce, and Finance of Argentina, Uruguay, and Paraguay*, by Wheless; *The Industrial and Commercial Development and Policy of Chile with special reference to commercial Relations with and Policy towards other American Countries*, by Cuevas; *Economic Conditions and Effects of Financial Concessions in Honduras*, by Fontecha; a similar study concerning Costa Rica by the same author; *The Relations of the United States and Latin American Nations, Historically considered*, by W. S. Robertson.

The following projects which will result in much more extended publications have been undertaken, and partly completed:

1. A Collection of Arbitration Treaties, and Arbitration Agreements of other Treaties, between the Nations of America. This collection, which is to cover both the United States and the Hispanic American countries, was begun several years ago and most of the research is

finished. The documents are now being verified, arranged, and edited by Professor William R. Manning of the University of Texas; and the work should be ready for the press within a few months. Each treaty will be printed in at least two languages, of which one will be English and the other either Spanish, Portuguese, or French.

II. "United States Diplomatic Correspondence regarding the Emancipation of the Latin American Countries" will include the instructions, despatches, and notes which passed during the period 1810 to 1830 between the United States government and its representatives in the Hispanic American countries, and between the same government and the representatives in Washington of the Hispanic American governments. Plans were matured before the entrance of the United States into the European war to carry this work to a rapid conclusion, and Professor Manning was brought from the University of Texas to direct the work. But since the United States declared war the archives of the Department of State where the bulk of the material must be obtained have been closed to all researchers. Such work as could be done in printed collections of documents has been largely finished.

III. "A Collection of Authoritative Statements regarding the Monroe Doctrine" will consist of two parts: first, statements concerning the doctrine issued from time to time by the government of the United States and accredited publicists; and second, a collection of Hispanic American expositions of the Monroe Doctrine. This is to be done under the direction of Dr. Alejandro Alvarez, mentioned above.

The new magazine, *Inter-America*, published at 407 117th Street, New York City, is one of the most important publications of the Endowment so far as it affects Hispanic America. It is issued under the direction of the Inter-America (formerly Pan American) Division of the American Association for International Conciliation. There are twelve issues per year, of which six, appearing in alternate months, contain English translations of articles that have been published in Hispanic American periodicals, and the other six, appearing in the intervening months, contain Spanish translations of articles taken from various periodicals published in the United States. "*Inter-America* thus serves as a vehicle for the international dissemination of articles already circulated in the several countries. It therefore does not publish original articles, nor make editorial comment. It merely translates what has been previously published, without approving or censoring, in order that the reading public of all the American countries may have access to ideas current in each of them".

Each number of the *American Journal of International Law* is translated into Spanish and issued and circulated in the Hispanic American countries by the Endowment. Several other periodical publications and several societies intended to foster closer relations between the United States and the Hispanic American countries receive assistance from the Endowment in the shape of liberal subventions.

Besides the foregoing projects which have resulted, or will result, in important publications, the Endowment is carrying on a number of other enterprises the purpose of which is to bring about a better understanding and more cordial relations between the American countries:

I. During the academic year, 1917-18, Dr. Alvarez, the eminent Chilean internationalist, secretary of the American Institute of International Law, whose headquarters are in the building of the Endowment in Washington, was sent on a lecture tour to a dozen or more of the leading Universities of the United States; and during the year, 1918-19, he has made a similar but more extended tour visiting nearly all of the large western universities. His lectures are well fitted to stimulate the growing intellectual and cultural relations between the scholars of North and South America, and have been well received and most favorably commented on.

II. The Division of Intercourse and Education has an arrangement for the exchange of professors between the universities of the United States and of Hispanic America. Only a few such exchanges have yet been effected; but others are in contemplation.

III. For several summers past the Endowment has been furnishing the funds through the American Association for International Conciliation to numerous university summer schools in the United States for giving special courses on American Diplomacy, Hispanic American Relations, Hispanic American History, and the Spanish language, in addition to courses in international law.

IV. An Inter-America Library is being prepared to consist of translations into Spanish and Portuguese of selected books by well known United States authors, and English translations of books by the chief Hispanic American writers. The work of translation is slow, but progress is being made and some volumes are nearly ready for publication.

The Inter-American Division has in preparation a number of collections of North American books for presentation to selected institutions in the Hispanic American countries. They are to range in number from 50 to 3,000. One such library of 9,000 selected volumes was, in 1916, presented to the Museo Social Argentino of Buenos Aires. "One

of the results of the presentation of this library was that about three thousand books and pamphlets by distinguished South American authors, as well as government publications, were presented to Mr. Goldsmith who represented the Endowment at the installation of the North America Library at Buenos Aires. About one thousand of these publications were presented as a gift from the Endowment to the New York Public Library where they will be made available for a large number of readers".

In his "Annual Report of the Director of Historical Research" of the Carnegie Institution of Washington, an extract from Year Book, No. 16, for the year 1917, pp. 151-153, Dr. J. Franklin Jameson says:

"In the last annual report the Institution was stated to be on the point of publishing the 'Descriptive Catalogue of the Documents relating to the History of the United States in the Papeles procedentes de Cuba, deposited in the Archivo General de Indias at Seville', prepared for the Department by Mr. Roscoe R. Hill, now president of the Spanish-American Normal School at El Rito, New Mexico. The book was not in fact issued until February, but was sufficiently described in the last annual report. It has already fully proved its usefulness in the hands of investigators of Spanish Louisiana and Florida and of the Mississippi Valley in general. It is indeed capable, if its indications are properly followed up by investigators, of remaking large portions of that history, so slight hitherto has been the knowledge of the vast mass of information contained in the great collection to which the volume is a guide.

"In the Director's last annual report mention was made, in connection with Dr. Hill's work, of the fuller guide to a portion of the same material, not intended for print, at least at present, but retained in manuscript in the offices of the Department, and constituting a calendar of about 143 legajos or bundles (out of 934, in the Papeles de Cuba, relating to the history of the United States), selected as the most important for that history. This calendar, embracing itemized descriptions of about 58,000 documents, was made in duplicate by Mr. Hill and his clerical assistants at Seville, on two sets of slips. Keeping one set in an arrangement by legajos, in the order in which the documents themselves are found, the Department has completed the process of arranging the other set in chronological order, so that henceforward it will be able to locate promptly in the archives, for the benefit of any historical inquirer, any important paper in the collection, in case the date is exactly or approximately known by the inquirer.

"Mention was also made of ten sets of photographic prints, each embracing about 3,000 plates, covering the main series of regular official (civil) despatches, found in the Papeles de Cuba, and addressed by Spanish governors in Louisiana to the captain-general at Havana, and extending from the arrival of Ulloa as governor in 1766 to that of Carondelet at the beginning of 1792. These ten sets of photographs were made upon the calculation that that number of facsimile reproductions of these important documents, central to the history of Louisiana and of the Mississippi Valley during the period indicated, would be desired by libraries and other public institutions interested in the history of the United States. I am glad to report that within a few months of their being offered for sale all ten sets were taken, by the following nine institutions, and by one private purchaser: Harvard University Library, New York Public Library, Hispanic Society of America, Library of Congress, Howard Memorial Library, Newberry Library, University of Illinois Library, Missouri Historical Society, and Wisconsin State Historical Society. The sets were sold at the cost of photographic work and printing, no charge being made for the supervision in Seville and in Washington on behalf of the Carnegie Institution, nor for the elaborate calendar which accompanied each set as a table of contents. As the Department possesses the negatives, it would be possible, though at greater expense, to furnish additional series of prints to other institutions which may desire them. It is also possible to furnish additional copies of the calendar to any institutions or persons to whom such a list would be of service".

The California Historical Survey Commission.—Many lines of historical activity center at the University of California. One of these is the California Historical Survey Commission, which began its work in the fall of 1915. Dr. Herbert E. Bolton, of the University, is one of the members of this commission, while Owen C. Coy, of Berkeley, is its secretary and archivist and has charge of the administration of the work of the commission. A report upon the county archives of California has been completed and a similar work upon the archives of the state and federal offices within its jurisdiction has already been begun.

One of the interesting and important features of the work of the commission has been the discovery of a great mass of Spanish documents dealing with the history of California before its conquest. This material is of great value in that it supplements the documents which are being collected and transcribed for the University of California in the archives

in Spain by the traveling fellows. These documents, which have been found in the local archives, deal largely with the administration of local government and with the matter of private land grants. Unfortunately, the Spanish provincial archives of Alta California have not been preserved as a whole, in fact it is probably true that the greater part of them have been lost. Following the conquest of California by the United States, these archives were placed in charge of the United States Survey General for California. Some of these documents were later taken elsewhere, but the majority were still in his possession when his office was destroyed by the San Francisco fire of 1906. Of more than three hundred volumes of these Spanish documents, scarcely more than a score of volumes escaped the flames, and many of these are badly charred. Fortunately, however, sixteen volumes of original documents dating from 1781 to 1850 had been transferred, in 1858, to the archives of the recorder of Monterey county, at Salinas, where they were found by this commission. Five of these volumes relate to criminal matters; the others are miscellaneous, containing official correspondence, private letters, public addresses, and petty court papers. They comprise, without doubt, the most valuable source material for the Spanish and Mexican periods of California history to be found in any of the archives of California. Other records of a more local nature exist in the archives of cities, some of which were the former *pueblos* of Spanish California, as at Los Angeles, San Jose, Santa Cruz (Branciforte) and at San Francisco. Still other records are at many of the missions, especially at Santa Barbara, where an attempt has been made to collect the archives of all the missions.

One of the distinctive features of the work of this commission is the emphasis which is being placed upon the construction of maps to accompany its reports. One of these is a large scale map of California showing in distinctive color each Spanish or Mexican land grant that received confirmation by the United States. Other maps show the development of the present counties from the Spanish and Mexican centers of jurisdictions.

Since the greater part of the local and state archives deal with the period since 1850, more attention is given to this later period. During this time, the county has been the chief unit for local government, hence the importance of knowing the changes which have taken place in the jurisdiction of those various units. Originally, there were twenty-eight counties in the state, but up to the present there have been fifty-nine, one of the counties, however, having been subsequently dis-

organized. Furthermore, there has been a constant shifting of these various county boundaries, the result of it all being that none but a close student of local history would be able to know the exact jurisdiction of any country at any particular date. These various changes in boundaries have been satisfactorily worked out by the commission and will be shown in maps in the report on county archives soon to be published. Three series of maps are in construction to illustrate these changes: maps of the individual counties showing all the changes in the boundaries of that county; large state maps showing the county divisions at certain selected dates; and two composite maps to illustrate the complexity of these boundary changes, especially in their effect upon the county archives. One of these shows by different degrees of shading the number of counties which have held jurisdiction over each portion of the state, for some portions of the state have been a part of as many as five different counties. The other serves as a key map and shows to what particular counties each one of the nearly two hundred pieces of territory have belonged since the formation of the state.

In order to do this work properly the commission has prepared large outline maps of the state with sufficient physical and other data to enable a map to be quickly constructed for any particular period. These have been used profitably for population maps based upon the census returns, for maps of election returns, exploration routes, the location of Spanish missions and settlements, Spanish land grants, and similar information.—OWEN C. COY.

The Term "Latin-America."—An interesting article by Ramón Menéndez Pidal appears in English in the April number of *Inter-America*, namely "The Term 'Latin America' ". The paper is preceded by an editorial note as follows: "A disquisition upon this widely used term, in which the writer undertakes to show that it is not only improper but inadmissible; and he offers certain substitutes, which he considers irreproachable. In his objection to the term 'Latin America', he is supported by many important writers of the countries to which this name is often applied." Menéndez Pidal decries the extension of the use of the term in Hispanic America. The reason for this extension "is the belief that under the old title of 'Spanish America,' Brazil, with its Portuguese speech, can not be included". This difficulty disappears, the author thinks, if it be considered that the name "Spain" ever since the time of Alfonso the Wise, has been equivalent in its widest sense to the Latin "Hispania", in which Portugal has always

been included. In Hispanic America, the terms "Spanish Peninsula" and "Iberian Peninsula" are equivalent. The organization founded by Mr. Archer Huntington in New York City is cited as a recognition of this fact, for the name "Hispanic Society" includes both countries of the peninsula. The author readily confesses that the term "Spanish" has also a restricted meaning, in which the idea of "Portuguese" does not enter, but all ambiguity is removed by the use of terms such as "Hispanic", "Hispano", or "Iberian", all of which will combine perfectly with the word "America" or "American". The term "Latin America" began to be generalized, says Menéndez Pidal, especially in France and the United States, about 1910, but he considers the propriety of the term as doubtful. "The adjective 'Latin', applied to the nations that inherited the language of Latium, is in itself perfectly acceptable; but, since in this sense, it involves no concept of race, but only of language, it seems . . . to be entirely improper to extend its meaning so as to apply it to nations that received their language, not from Latium, but from the Hispanic peninsula, that is, from Castile and Portugal. These American nations did not inherit the Latin tongue, as Spain, France, and Italy inherited it along with their Latin colonization; but they received the Hispanic languages, that is Castilian and Portuguese, and in adjectivizing these languages with reference to their origin, they are commonly called neo-Latin, and not Latin". The term "Latin America" can not be correctly used as giving a concept of race for besides the Indian element, there is also the Basque element, which is not at all Latin. This is also the conclusion of the author of the book *Raza chilena*, and of Mr. J. C. Cebrián, who has often protested¹ against such usage. The author concludes that "To become enamoured of it [*i.e.*, the name 'Latin America'] and to propagate it is to contribute to the propagation of a false denomination, and to blot out our name from half the world, whither the past generations carried it by sacrificing much of their flesh and blood in the colossal enterprise".

Orestes Ferrera, writing in *La Reforma Social* for November, 1917, on "La América Latina y la gran guerra", concludes his article as follows: "Todo demuestra que un deber moral y un interés bien entendido obligan a la América Latina a no permanecer vulgarmente impasible ante un conflicto cuya magnitud no admite neutralidad, si es que no se aspira a conservar pacíficamente un puesto de ínfimo orden, sometido paciente-mente a los vaivenes de los acontecimientos, y no se estima que derecho y honor son vanas palabras".—C. K. JONES.

Luis Anderson, in his "El Tratado Bryan Chamorro", published in *La Reforma Social* for November, 1917, makes an examination of the treaty from the point of view of international law and an analysis of the decisions of the Central American Court of Justice in the suits occasioned by this treaty brought by Costa Rica and El Salvador against Nicaragua.—C. K. JONES.

The *Revista de Filosofía* of Buenos Aires, departing a second time from its non-political policy, reproduces in its number for January, 1918, the report of the "Comité Nacional de la Juventud" on Argentina's relation to the war, adopted December 17, 1917. The report was formulated by Osval de Magnasco, Felipe Yofre, Joaquín V. González, Alfredo L. Palacios, and Leopoldo Lugones. The resolutions read as follows:

1°.—Que procede afirmar la decisión de las honorables cámaras de senadores y diputados nacionales sancionada en la respectiva sesión del 19 y 25 de septiembre del corriente año, como asimismo las demostraciones inequívocas de la opinion nacional;

2°.—Que en consecuencia, debe declararse suspendidas las relaciones diplomáticas de la república con el gobierno imperial de Alemania no sólo por los agravios inferidos a los derechos e intereses del pueblo y gobierno argentinos, sino principalmente en razón de las seguridades que corresponden a la nación y de la conducta y propósitos del gobierno imperial en la guerra, violatorios de los principios esenciales de la civilización;

3°.—Que atenta la solidaridad de las naciones y especialmente la opinion y el sentimiento de América, son, al menos por ahora, innecesarios los acuerdos o alianzas de la república con otras naciones.—C. K. JONES.

In the *Revista Argentina de Ciencias Políticas*, of January 12, 1918, appear sections VII.-IX. of the Constitution of Uruguay, representing reforms sanctioned by the Convention of October 15, 1917. The changes introduced constitute an original effort to divide the executive functions between the president and an administrative council. The new provisions having received popular approval will go into effect March 1, 1919.—C. K. JONES.

The promotion of the trade relations of the United States with Hispanic America is now being studied more intensively and scientifically

than at any previous period of our history. The case system in law, and similar systems in medicine are now being applied to export business. Professors in history in some of our larger educational institutions are more and more called upon to correlate their teaching with that of the commercial development of the various countries of Hispanic America, where an increasing number of their pupils are finding an opportunity for the practical application of their university training in the extension of foreign trade. The United States today supplies forty per cent of the total imports of South America, and a very much larger percentage of the imports of Cuba, Mexico, and the West Indies. The foreign trade of the United States is now equal to between one-seventh and one-sixth of its domestic trade. It would be logical to suppose that for every seven men trained for domestic business, at least one should be trained for foreign business, and of those so trained, a goodly proportion should be for Hispanic America. Some noteworthy beginnings are to be seen in many widely separated parts of the United States—beginning that are all the more remarkable because they have appeared in relatively small communities and in the comparatively newer parts of the country. It will be sufficient to refer to two of these communities, namely Chattanooga, Tennessee, and Quincy, Illinois.

Both of these are inland cities and although each is located on a large navigable river, their products must be carried a considerable distance before reaching a seaport. Yet, notwithstanding this, Quincy plows won the gold medal in Buenos Aires in 1895, and in 1917, Chattanooga supplied one-fifth of all the hosiery imported into Argentina, in value about a million and a half of dollars.

In each of these cities Spanish is a prescribed study in the high schools, and each employs an ingenious method of fixing the pupil's mind on the importance of the foreign trade of the community. A large map of the world hangs on the wall of the school room, on which every city to which the products of the community are exported is marked with a pin. This is a training both on geography and contemporary commercial history. Chattanooga has the rare distinction of having exported its products within ten years after its founding. In 1882, the Chattanooga Plow Company sent a special representative to Colombia. Since then, the trade of that company in Hispanic America has developed to such an extent that it is estimated that there is not a single city in Brazil of over 5,000 inhabitants where Chattanooga plows and cane mills are not sold. The first waterworks system ever installed in South America by a concern in the United States—that of Salto, Paysandú, and Mercedes,

in Uruguay—was erected (together with the sewerage system) in 1917, almost entirely from material supplied from Chattanooga and by Chattanooga workmen sent thither for that purpose. Chattanooga sugar machinery is used in every American country where sugar is grown, and many other products of that city, including articles as widely separated as wheelbarrows and bathtubs, are found in various places. Machinery from Chattanooga formed part of the first haul of the first freight train of the newly-completed transcontinental railway into Corombá.

Quincy's progress has been, if anything, even more remarkable than that of Chattanooga. Its tractors and wheels are found in far-away Patagonia; its machinery is used by the Chilean navy; and its haypresses are found in almost every country of Hispanic America. The Spanish language has been taught for many years in the Quincy public schools, and the training is thorough and practical. Many young men who received their first training in the Quincy schools have entered the foreign commercial field as a matter of course, and have met great success in the development of inter-American trade.—CHARLES L. CHANDLER.

The Newark Free Library opened in May an exhibit of objects, books, pamphlets, pictures, charts, maps, and models to illustrate the history, topography, scenery, material resources, products, industries, financial needs and assets, and governmental, educational, and sociological features of the countries of Hispanic America.

The University of California celebrated its semi-centennial during the week of March 18–23. The general topic in the addresses that were made during that time, quite naturally centered about the Pacific Ocean in history. Several of the speakers pointed out the importance of Hispanic America in the affairs of the Pacific and in the relations of the United States.

The new "Enemy Trading List", revised to March 15, 1918, that has quite recently been issued by the War Trade Board of the United States of America contains names of enemy trading firms for the following countries of Hispanic America: Argentina, 273; Bolivia, 130; Brazil, 450; Chile, 230; Colombia, 179; Costa Rica, 34; Cuba, 23; Dominican Republic, 14; Ecuador, 83; Guatemala, 23; Haiti, 28; Honduras, 27; Mexico, 323; Nicaragua, 14; Panama, 13; Paraguay, 26; Peru, 109; Salva-

dor, 14; Uruguay, 101; and Venezuela, 83. In the "Notes" published in the pamphlet, the Board says: "This is not a complete list of persons and associations with whom it is illegal to trade under the terms of the Act. Obviously it can include only those names concerning which the War Trade Board has sufficient information to justify listing. Therefore trade with a person or association known or suspected to fall within the prohibitions of the Act is not justified by the fact that his or its name does not appear on the list." The Board is also "collecting and classifying the names of nonenemy firms who might be substituted for those within the prohibitions of the Act" in order by this means "to minimize the inconveniences caused to American merchants by the dislocation of foreign trade through the operation of the . . . Act". The Trading with the Enemy Act, Public Document, no. 91, 65th Cong., is also published in the pamphlet.

Senator James Hamilton Lewis speaking, on April 20, before the convention of the Louisiana State Association at New Orleans, on "The International Case of America", said: "We will have to meet attacks upon our commerce by discriminating trade arrangement. To meet this America must be all American and in spirit and compact one continent, united against any wrong done any part of the continent. Such alliance of defense of American institutions, commanding by its spirit the service to either of the countries assailed of the armies and navies of all and the supplies and strength of each, when announced and understood, will be a complete guarantee of peace to America."

The Chilean ambassador accredited to Washington, Sr. D. Santiago Aldunate, died in that city on April 17 of this year. President Wilson sent the following message of condolence to President Senfuentes, who was the ambassador's brother-in-law: "I wish to convey to you my most heartfelt sympathy at this time of great sorrow for your own family, as well as for the nation, which the lamented loss of the highly honored and esteemed representative of your country at this capital has occasioned." On April 20, the governing board of the Pan American Union also sent resolutions of regret to Chile. Funeral services were held in Washington on April 22, and were attended by the President and his cabinet, the diplomatic corps, the members of the Supreme Court, ranking members of the army and navy, and the members of the Senate and House committees on foreign affairs. The body which was carried by eight non-commissioned officers of the army, was deposited

in Oak Hill Cemetery until such time as it may be conveyed to Chile on a warship. The honorary pall bearers were the ambassadors and ministers of South America, the ambassadors of Spain, Italy, and Great Britain, and three members of the House of Representatives. A message of thanks was received from the Chilean government in reply to the President's telegram.

South America has lost another of its representatives in Washington, by the death on April 30, after only several days' illness, of Dr. Carlos María de Pena, minister from Uruguay. Dr. Pena, in addition to being a statesman of note, was also a wellknown author and one of the foremost lawyers of Uruguay. He came from a very distinguished family, being born in the year 1852. His University education was received in the University of Montevideo, in which after his graduation he became professor of political economy and administrative law. During the year 1889 and 1890, he was mayor of Montevideo, afterward serving as secretary of the national treasury and minister of public works. His admirable qualities led to his being sent on a confidential mission to Brazil in 1907; and in 1911, he acted as the president of the Uruguayan delegation to the Pan American conference at Buenos Aires. In the latter year, he was appointed minister to the United States, serving continuously in that capacity until his death. Dr. Pena was an ardent believer in Pan Americanism and an active worker for Pan American unity.

The death of Baron Homem de Mello, one of the leading statesmen of the Empire of Dom Pedro II., and until quite recently professor in the National School of Fine Arts, and Second Vice President of the Brazilian Historical and Geographical Society, is reported in the March issue of *The Americas*. Baron de Mello, who had reached the age of 80, was the author of many geographical works, among them being an *Atlas do Brazil*.

Fred Wilbur Powell, in his *Hall Jackson Kelley Prophet of Oregon* (Portland, Oregon, The Joy Press, 1917), a reprint from the *Oregon Historical Quarterly*, XVIII. No. 1-2-3-4, 1917, has an interesting chapter on Kelley's trip across Mexico. This eccentric and fanatical character, who has made not only Oregon, but the whole United States his debtor, reached Vera Cruz on his journey to the Pacific slope in 1833. Kelley's feat in crossing Mexico is well expressed by Mr. Powell in the following words (p. 63):

"Even today a trip across Mexico is attended with delays and difficulties. The foreigner is met with suspicion, and, if he be an American, with positive dislike. Nothing but a fanatical belief in his mission could have led Kelley to disregard or at least underestimate the obstacles to be encountered in passing through that country before the day of railroads, in the midst of pestilence, brigands, and civil war. Yet this is what he undertook to do in 1833, alone, encumbered with baggage, and ignorant of the language of the people."

General Alvaro Obregon, of Mexico, visited Washington in April in connection with the import of jute bags into the state of Sonora. General Obregon owns a ranch in this state in which he is greatly interested.

The Republic of Guatemala, which severed diplomatic relations with Germany in April, 1917, has declared (April, 1918), through its national assembly that Guatemala occupies the same relations with respect to the world war as does the United States.

The Congress of Honduras has approved the treaty between that country and Salvador fixing the boundary line between the two countries. The boundary in question had been a matter of dispute for several years, and was at last established by a mixed commission appointed some two years ago.

The "Trading with the Enemy" decree passed by the Brazilian Congress has been given effect. As reported in *The Americas* for February, 1918, the decree "provides for prohibition of trading between both nationals and foreigners resident in Brazil with enemy subjects resident abroad, whether directly, or through the agency of banks, banking or commercial houses, or private individuals established here or in neutral countries; suspension of exports to foreign countries of merchandise or property of any character belonging to the enemy inclusive of securities, money, silver and gold coin; fiscalization of enemy businesses, with power to suspend the operations of the same or cancel authorization to operate in Brazil; interment in concentration camps or in places not used as common prisons, of refractory enemy subjects or those suspected of disaffection toward Brazil".

The March issue of the same periodical notes that a decree of December 27, 1917, authorizes the President of Brazil to revise the compulsory

military service law of January 4, 1908, having special regard to the establishment of the principle of a national rather than a professional army, and the provision of an army of the first, and one of the second, line, with their respective reserves for each. The age and term limits are to be established for each line, and the systems of enlistment and drafting are to be modified in accordance with the circumstances of the country.

The Brazilian Federal Government has been authorized to take over the North Western Railway of Brazil. The Central Western Railway of the State of Bahia has also been taken over by the Central Government. The former line taps rich coffee and other agricultural sections, and links up with other important railway lines.

Matters of present interest in Uruguay.—Diplomatic relations between Uruguay and Germany were broken off on October 7, 1917, in consequence of the Luxburg incident. In April, 1918, it was reported that a German submarine had captured a delegation sent from Uruguay to France, whereupon Uruguay caused Germany to be asked through Switzerland whether Germany understood a state of war to exist between the two countries.

The amended constitution of Uruguay was ratified by a plebiscite on November 25, 1917.

The Americas for February notes that the government of Uruguay offered to open a credit of \$50,000,000 for the entente allies, in accordance with a plan devised by the Uruguayan minister of Finance, Sr. Vidiella. The plan, which was approved by the conference of merchants and bankers to whom the minister submitted it, was to make the above-mentioned offer for the exclusive purchase of Uruguayan products, and involved the deposit of \$50,000,000 worth of certain Uruguayan bonds held abroad with an approved representative of Uruguay, while the Uruguayan Bank of the Republic was to issue notes to pay locally for produce purchased.

The new currency law of Uruguay grants to the Banco de la República the exclusive right of issuing banknotes. A recent government decree authorizes the coining of nickel and silver coins each to the value of \$500,000.

On April 18, the treaty providing for compulsory arbitration between Uruguay and France and Uruguay and Great Britain was signed in Montevideo.

The "Instituto Histórico y Geográfico del Uruguay, after repeated efforts dating from May 25, 1843, to establish an institution of this character, has been successfully founded at Montevideo. Señor Don Francisco J. Ros, who is well known in the United States, was elected its first president. In his presidential address, delivered October 24, 1916, he took as his theme the history of the movement for the establishment of the Institute. The address was published in October of 1917, and copies of it have quite recently reached the United States.

BIBLIOGRAPHICAL SECTION
A DESCRIPTION OF CERTAIN LEGAJOS IN THE
ARCHIVO GENERAL DE INDIAS

PART I¹

Introduction. In 1910, the "Native Sons of the Golden West", a California fraternal society, founded a \$1,500 traveling fellowship for research work in the field of California history; in 1911, an additional fellowship for the same amount was founded. The writer was the second "Native Sons' " Fellow to be appointed, holding a fellowship for two years, 1912 to 1914, during eighteen months of which time he worked at the Archivo General de Indias in Seville. One of the principal results of his work was the compilation of a vast quantity of materials which have since been arranged for publication under the title *Catalogue of Materials in the Archivo General de Indias for the History of the Pacific Coast and the American Southwest*, which is expected to appear in two volumes, in the latter part of 1918, as one of the University of California series, *Publications in History*. In this work a calendar is made of over 6,000 items (more than 20,000, if the separate documents of bound files of papers, or *testimonios*, are considered) of which fully 5,000 had never been utilized by historians.² As a "Native Sons' " Fellow, the writer was under the necessity of seeking California materials, and this was practically desirable from the standpoint of the fellowships, since they were not yet securely established. He was instructed to proceed, *legajo* by *legajo*,³ choosing *legajos* on the basis of their possibilities as regards material for California history, and to

¹ The conclusion of Dr. Chapman's interesting "Description" will appear in the REVIEW for August.—J. A. R.

² These documents were also of the highest all-round technical character. On this point see the writer's article, *The Archivo General de Indias in The Southwestern Historical Quarterly*, XXI. no. 2, pp. 145-155.

³ A *legajo*, or bundle of papers, of the archives at Seville will generally contain about 2,000 pages of manuscript.

list California material only. A number of problems arose in the interpretation of these instructions, a few of which bear upon the descriptions which form the basis of this article. It was apparent from the first that materials for California history would include many documents relating to regions in the direct line of approach to California, especially Baja California and Sonora. It soon became clear, too, that it was impossible historically to separate the provinces of the east, including what are now New Mexico, Texas, and the North Mexican states opposite their borders, from those of the Pacific coast. On the other hand, self-evident California material in the *legajos* dealing with the frontier provinces of New Spain investigated by the writer was not over five per cent of the whole, and lack of time and funds and the necessity of establishing the fellowships precluded listing all of the materials which theoretically it would have been desirable to do. During his whole stay the writer wavered between the broad ideal and the narrow way of the practically advisable, striking, he believes, a fair average between them. In the final result he made a wide sweep of some of the more easily discoverable California materials, but included about two thousand items bearing upon the history of New Mexico and Texas representing perhaps the great majority of the most important documents in the *legajos* investigated. The problem which has just been described is alluded to in the case of specific *legajos* in the article herewith presented. Nevertheless, the descriptions are based on the entire *legajo*—not merely on the entered material—and include a mention of many documents not appearing in the calendar of the writer's *Catalogue*.

While the materials referred to relate almost exclusively to the border states of the United States and Mexico, particularly the former, they have a significance in an institutional way covering all the Americas. The documents are of the same type as those employed for all of Spain's colonies, as regards both the kind of subject-matter and the method of administration. They are, therefore, of general utility to the historian of colonial institutions, as well as to the narrator of Spain's activities along what is now our southwestern border and the Pacific coast.

A. GENERAL CONSIDERATIONS

1. **Character of the legajos investigated.** The principal idea in the choice of *legajos* for cataloguing was the likelihood of their containing materials for California history. A second aim was to secure *legajos* of such an all-round character that the description of a few of them might serve to indicate the kinds of material in all. The descriptions that follow represent, therefore, not only an account of the 207 *legajos* investigated, but also a characterization of a total of 621 *legajos* in the sets described, and in a measure furnish a clue to the contents of the "*Estado*" and "*Audiencia*" groups of papers as a whole (18,969 *legajos*), since the other *legajos* will in great degree be similar in names and materials to those which are here described. This entailed an investigation of *legajos*, which, in the majority of cases, had never been opened since being filed a century before. The search was often barren or meagre, though not always so, from the standpoint of items for the *Catalogue*, but was well repaid in the store of information it supplied with regard to matters, particularly those of an institutional character, of interest or value for other purposes than those of the present investigation.

2. **Meaning of "NPC".** At the end of many of the *legajo* descriptions, the letters "NPC" are placed to indicate that the documents of that *legajo* which were catalogued had not previously been copied up to the time of the writer's investigation. This was determinable, in that a notation, written with a pencil, of the *legajo* number was placed on a document when it was removed from a *legajo* for copying. This notation served, not only as a means for replacing the document, but also as a record as to whether it had been copied. The rule was not absolute, for it is conceivable that the documents might have been removed for other purposes, though rarely, or that the archive clerks might have neglected to make the penciled notation, or that the marks might not have been seen by the writer, since there was no specific place for them. The writer believes, however, that few, if any, documents of those catalogued will have been copied in *legajos* bearing the "NPC" mark. Furthermore, in most of the *legajos* which lack the "NPC" characterization, the very great majority of the documents had never been copied for historical purposes. Since that time, however, many copies have been made from these *legajos*.⁴ Recently a

⁴ Through the effort of "Native Sons" Fellows and Dr. William E. Dunn of the University of Texas, thousands of documents have been procured for the Bancroft Library of the University of California, the Library of the University of Texas, the Newberry Library of Chicago, and the Library of Congress.

system has been instituted at the Archivo General de Indias, whereby a definite record is kept, both in the office of the head of the archives and in the *legajo* itself, of copies that are made, with a statement of the date of copying, name and nationality of the investigator, subject of the investigation, number and title of the *legajo*, number of copies made, object of the work and use to be made of the copies, and a summary of their contents.⁵

1-12.	Estado, Am. Gen, 1-12.	103-115.	Aud. Guad, 103-4-12 to 24.
13.	" , Aud. Guad, 1.	116-128.	" " , 103-5-1 to 13.
14-36.	" , Aud. Mex, 1-23.	129.	" " , 103-5-20.
37.	Aud. Mex, 60-4-37.	130.	" " , 103-5-25.
38-42.	Aud. Guad, 67-3-27 to 31.	131.	" " , 103-6-19.
43.	" " , 67-4-45.	132.	" " , 103-6-21.
44.	" " , 67-5-3.	133-141.	" " , 103-6-23 to 31.
45-46.	Aud. Mex, 88-5-13 to 14.	142-153.	" " , 103-7-1 to 12.
47-48.	" " , 88-5-16 to 17.	154-162.	" " , 104-1-6 to 14.
49-52.	" " , 88-5-22 to 25.	163.	" " , 104-2-13.
53-55.	" " , 88-6-18 to 20.	164.	" " , 104-2-25.
56-57.	" " , 89-3-22 to 23.	165-169.	" " , 104-3-1 to 5.
58-81.	" " , 89-6-1 to 24.	170-171.	" " , 104-3-9 to 10.
82.	" " , 91-5-25.	172.	" " , 104-3-18.
83.	" " , 91-6-17.	173.	" " , 104-3-21.
84.	" " , 95-6-7.	174-176.	" " , 104-3-24 to 25.
85.	" " , 95-7-16.	177.	" " , 104-4-28.
86-88.	" " , 96-1-11 to 13.	178-184.	" " , 104-5-10 to 16.
89-90.	" " , 97-4-5 to 6.	185.	" " , 104-5-19.
91.	Aud. Guad, 103-3-6.	186.	" " , 104-5-24.
92.	" " , 103-3-10.	187-189.	" " , 104-6-7 to 9.
93-94.	" " , 103-3-12 to 13.	190-202.	" " , 104-6-12 to 24.
95.	" " , 103-3-21.	203.	" " , 104-7-6.
96-98.	" " , 103-3-24 to 26.	204.	" " , 104-7-8.
99.	" " , 103-3-28.	205.	" " , 104-7-33.
100.	" " , 103-4-4.	206-207.	" " , 105-1-24 to 25.
101-102.	" " , 103-4-9 to 10.		

3. Numerical order of the legajos on which the Catalogue is based.

The numbers above represent merely the total of *legajos* up to that point in the writer's *Catalogue*. "*Am. Gen.*" is equivalent to "*America en General*", "*Aud. Guad.*" to "*Audiencia de Guadalajara*", and "*Aud. Mex.*" to "*Audiencia de México*." In ordering from or citing "*Estado*" *legajos*, full entry must be made, as in items 1 to 36 above. In the

⁵ The system is described in Roscoe R. Hill, *Descriptive catalogue of the documents relating to the history of the United States in the Papeles Procedentes de Cuba deposited in the Archivo General de Indias at Seville* (Washington, 1916) pp. X., XI.

case of all the other *legajos*, order or citation by number alone is sufficient. The reference to the *Audiencia* is therefore omitted in the following section, devoted to the descriptions.

B. LEGAJO DESCRIPTIONS

1. The "**Papeles de Estado**" group. This entire set is composed of 105 *legajos*, dating from 1750 to 1836. In 1871, they were turned over by the ministry of state (*Estado*) to the Archivo General de Indias.⁶ The documents are of the same sort as those in the "*Audiencia*" group of the "Simancas papers"; they are divided into the same thirteen subdivisions by colonial *Audiencias*, plus one other called "*America en General*"; they merely represent certain of the papers about colonial affairs, by no means all, for the years in question, which were taken up with the state department by that of the Indies. A useful manuscript catalogue by *expedientes* already exists at the Archivo General de Indias; a description of the principal document of an *expediente* is made, with a mention of the subordinate documents filed with it. The *expedientes*, or "*documentos*", are numbered consecutively. Thirty-six *legajos* in this set were examined. Entry of items was based on *expedientes* touching upon affairs in the Pacific with a direct or indirect bearing upon the Californias. In all, there were over 2,500 *expedientes* in the thirty-six *legajos*, of which 193, yielding 618 items, were entered. Very few of the entered documents bore marks showing that they had ever been removed for copying, although in three *legajos*, particularly rich in diaries of Spanish voyages to the northwest coast and of Spanish expeditions in Alta California, and in correspondence of the Spanish ministers to Russia about Russian activities in the far northwest (Aud. Quad. 1, and Aud. Mex. 1 and 19), the entered material had been quite generally copied.⁷

In addition to the material just mentioned, these *legajos* are especially noteworthy for their Spanish accounts of voyages along the Pacific coasts of New Spain and the Californias by English, American, Spanish-American revolutionary, and so-called pirate ships, during the last three decades of Spanish rule. There is also much valuable material about Gálvez's reforms and the complaints against him. The

⁶ Hill, *Descriptive catalogue*, p. IX.

⁷ By Professor H. Morse Stephens for the Bancroft Library.

affairs of San Blas, including frequent reference to the project of removing the Department from that port to Acapulco, the Manila galleon trade, and Spanish exploration of the Hawaiian (Sandwich) Islands are prominent in the entered material.

The most important items of those omitted in cataloguing dealt with the Spanish-American War of Independence, which is very fully treated here.⁸ For the earlier years, there is much about precautions against foreign ships in the Gulf of Mexico, foreign residents in New Spain, American and English aggressions, and the efforts to check seditious doctrines. Less important, perhaps, are papers about remissions of treasure or of the *Gaceta* of Mexico to Spain, the receipt of the mails in New Spain, and the petitions of individuals.

2. **Legajo 60-4-37.** *Viage y derrotero de las naos que fueron al Descubrimiento del Puerto de Acapulco a cargo del general Sebastian Vizcayno. Años 1602.* This small *legajo* contained only the important item entered in the *Catalogue* as number 6. It refers to Vizcaino's expedition, not to Acapulco, but from there to Monterey and the Alta California coast. The material had previously been copied for the Bancroft Library.

3. **Legajos 67-3-27 to 31.** *Espediente sobre el descubrimiento, conquista y misiones de la provincia de la California. Años 1602 á 1758.* These are exceedingly important *legajos* for the field embraced by the *Catalogue*, and, with one or two minor exceptions, every document was entered. In all, there were 262 items catalogued, including many valuable and bulky *testimonios*. All of the documents bear removal marks, but it seems probable that the larger *testimonios* were not in fact copied; certainly very many of them have never been exploited. *Legajos* 67-3-27 and 67-3-28 bear upon Spain's activities with regard to the Californias, principally Baja California, and, except for the omission of the Vizcaino voyage to Alta California (for which *legajo* 60-4-37 is available), they form an adequate set of materials for an entire rewriting of Spanish efforts to procure a foothold in the Californias in the seventeenth century—for such attempts were made after Vizcaino's time, despite the oft-written statements that they were not. In *legajo* 67-3-28, there is much about the early history of Baja California, following its settlement in 1697. *Legajos* 67-3-29 and

⁸ The omission in this case is of slight consequence, since the "Estado" papers were drawn upon liberally by Señor Torres Lanzas in his *Independencia de América; fuentes para su estudio; catálogo de documentos conservados en el Archivo General de Indias de Sevilla*, 1. serie, 6 v. Madrid. 1912.

67-3-31, covering the years 1731 to 1758, are rich in materials for Baja California, but even more so for Sonora and Pimería Alta, as the region embracing the northern part of modern Sonora and southern Arizona was formerly called; and in *legajo* 67-3-31 there are a few Nueva Vizcaya documents. Nevertheless, there is an essential unity in the materials, for they bear very largely on questions of northward advance. *Legajo* 67-3-30, for the year 1751, relates wholly to Nueva Vizcaya, containing only ten items, due to the presence of several huge *testimonios*. The names of Vizcaino, the Cardonas, Iturbe, Ortega, Carbonel, Porter, Pynadero, Otondo, Salvatierra, Kino, Rodero, the Marqués de Aysa, Escobar, Consag, and Sánchez are a few which suggest the nature of the documents, but there is much else at present buried in the *testimonios* about Indian wars and related matters (such as the founding of presidios and missions) in Baja California, Sonora, and Nueva Vizcaya, secularization of the Jesuit missions of Tepehuana and Topia, projects for colonization of the Californias, and the general progress of the Spanish advance.⁹

4. *Legajo 67-4-45. Espediente sobre las volas y planchas halladas en la primeria alta en la provincia de Sonora. Años 1737 á 1740.* This relates to the spectacular discovery, in 1736, of the balls of silver at Arizona (otherwise Arissona or Arizonac), and to the action taken at Mexico and Madrid in consequence. The documents range from 1736 to 1739, instead of the dates given above, and show that the event led, not only to a rush of settlers to Sonora, but also to suggestions for an advance of the northern frontier. The whole *legajo* was entered, yielding twenty-four items, several of them bulky *testimonios*.—NPC

5. *Legajo 67-5-3. Espediente sobre el estado del Gobierno de la Nueva Vizcaya; y excesos que cometen los Yndios barbaros y Apostatos en sus fronteras. Años 1755 á 1756.* The title accurately describes the contents. Some copies had been made—which may account for the disorder of the *legajo*. Because of the presence of several *testimonios*, the *legajo* contained only sixteen items, all of which were entered.

6. *Legajo 88-5-13. Virreynato. Instrucciones que dejaban los Virreyes á los sucesores. Años 1772 á 1801.* Along with a few remitting letters, this contained the following instructions of viceroys to their successors: the Marqués (Francisco) de Croix to Bucarely; the Caba-

⁹ A considerable part of the material in these *legajos* has been copied for the Bancroft Library.

llero (Teodoro) de Croix, as viceroy of Peru, to Gil; two of Revilla Gigedo (the younger) to Branciforte; two of Azanza to Marquina. All were entered.—NPC

7. **Legajo 88-5-14.** *Virreynato. Ynstrucciones dadas al Virrey Bucareli, Cédulas, Minutas de despachos y provisiones del Virreynato. Años 1760 á 1819.* This is an excellent *legajo* for the study of the ceremonial surrounding the viceroy's position, particularly as to honors, titles, and privileges granted him upon entering office. Nothing was entered.—NPC

8. **Legajos 88-5-17 and 18.** *Virreynato. Corresponda. confidencial con los Virreyes. Años 1766 á 1779.* These were made up of the personal correspondence of Viceroy Bucarely between 1766 and 1777, for no letters appear for 1778 and 1779. The first *legajo* was composed principally of letters between Bucarely and General Alejandro O'Reilly while there is also a file, for the year 1771, of semi-official correspondence of Bucarely with José de Gálvez, the Marqués de Croix, and Archbishop Lorenzana, prior to Bucarely's arrival in Mexico as the successor of Croix. Bucarely's letters are drafts, for the file seems to have belonged personally to him, while the other letters are originals. The correspondence with O'Reilly is especially interesting, because of its intimate nature. While the body of the letters is usually in the handwriting of a clerk, both Bucarely and O'Reilly frequently added matter in their own hands, especially long postscripts, and in several cases dispensed with the use of a clerk altogether. The letters are of great importance, as will appear from the following explanation. Bucarely wished very much to retire—would in fact have preferred to return to Spain from Havana rather than become viceroy of New Spain—and O'Reilly desired equally to succeed him as viceroy. Thus, O'Reilly was eager to learn, and Bucarely glad to relate, the principal events and problems of the vicerealty. From 1769 (while Bucarely was still in Havana) to 1775, the file shows a letter a month from each; there are also single letters of O'Reilly for 1766, 1776, and 1777, and of Bucarely for 1776 and 1777. Unlike official letters, which were limited to treatment of a single subject, this correspondence ranges at the will of the writers, but for that very reason it gives an element of proportion less easy to determine in official documents. The affairs of the northern frontier are thus revealed as a very important item in the viceroy's attention. One interesting sidelight was the prominent place accorded Hugo Oconor in this correspondence. Oconor seems to have been a protégé of O'Reilly, who never failed to inquire about his friend, and

Bucarely was equally consistent in giving the news; indeed, the student of Oconor's important work on the northern frontier must not neglect this file.

Forty-six of Bucarely's letters to O'Reilly were entered, and the other documents of the *legajo* omitted. The making of the entry was difficult, not only because of the variety of the subject-matter, but also because of the utterly wretched handwriting of Bucarely. An attempt was made to state the principal fact discussed in the letter, with added comment about matters bearing upon the affairs of Alta California.

The documents of *legajo* 88-5-18 consist of Bucarely's private correspondence with the Marqués de Losadas, during the period while Bucarely was captain-general in Cuba. None of these documents were entered.—NPC

9. **Legajos 88-5-22 and 23.** *Virreynato. Expedte. de visitas de las Cajas Reales de Acapulco hecha por D. Jose de Galvez. Años 1771 á 1772.* The two *legajos* deal with the frauds discovered (or, at least, alleged) in connection with the visitation of the *cajas reales* of Acapulco, Gálvez's dismissal of the Acapulco *oficiales reales*, and their petitions for reinstatement (which seem ultimately to have been successful). *Legajo* 88-5-22 contained twenty-six items, most of them *testimonios* of 1771, made up of documents of earlier date. The seventy-eight documents of *legajo* 88-5-23 ranged between the years 1763 and 1773. All were entered.¹⁰—NPC

10. **Legajos 88-5-24 and 25.** *Virreynato. Expedte. de la visita de D. Jose Galvez sobre todas las Rentas de Real Hacda. Años 1764 á 1776.* The forty-three items of *legajo* 88-5-24 and the eighty-four of *legajo* 88-5-25, all of them entered, include many documents of the greatest value for an understanding of the Gálvez *visita* of 1765-1771. Most of them fall within the years of the *visita*, although some go as far back as the year 1752. They deal with the whole subject of Gálvez's reforms in commerce and *real hacienda*. Documents about Vera Cruz and Mexico City are in the majority, but only because, as the principal port and leading city, those places were essential factors in any general project. *Legajo* 88-5-25 is most largely composed of the opinions of others about the reforms of the *visitador*, including the detailed objections of the *Consulado* of Mexico and of Tomás Ortiz de Landazuri, chief of the *Contaduría General*, but also including the im-

¹⁰Many were copied by the writer for Dr. H. I. Priestley, who used them in his *José de Gálvez* (Berkeley, 1916).

portant opinion of the *fiscales* of Castile, Campomanes and Moñino (better known as the Conde de Floridablanca), whose voluminous report (see item number 1722) sustained Gálvez.¹¹—NPC

11. **Legajos 88-6-18 to 20.** *Virreynato. Cartas y expedientes del Virrey.* The entire set with this title is composed of seventy-one *legajos*, dating from 1537 to 1821. The three that were investigated contain well-ordered *expedientes* dealing with administrative details, principally about *real hacienda*. They are respectively for the years 1772, 1773, and 1774; the first has fifteen *expedientes* (two to sixteen, inclusive, number one having been withdrawn in 1804), the second, fourteen (one to thirteen and one unnumbered), and the third, thirteen (one to twelve and one unnumbered). The following are some of the topics: petitions for increase of salary; papers relating to the repair of public buildings in Mexico; an *expediente* about a governor of Tlaxcala who had just quitted his post; the authorization for one Joseph Marion to carry 4,000 *pesos'* worth of goods from Acapulco to Manila; the departure of fleets from Vera Cruz bound for Spain; minor ecclesiastical and administrative appointments; the resignation of an *alcalde mayor*; an *expediente* about the commerce of Vera Cruz with other Atlantic coast ports; an *expediente* about raising a military company to guard certain eastern towns; and an *expediente* arising from the publication, without license, of a certain book. Nothing was entered.—NPC

12. **Legajos 89-3-22 and 23, and 89-6-1 to 24.** *Virreynato. Duplicados del Virrey.* The entire set of the *Duplicados* of the viceroys consists of 180 *legajos*, dating from 1664, but all except twenty-three are for the years 1751 to 1823. Only the above-cited twenty-six were investigated. *Legajo* 89-3-22, for the years 1769 and 1770, during the administration of the Marqués de Croix, aroused great expectations as to the wealth of the entire set in materials coming within the scope of the *Catalogue*. Most of the *expedientes* in this *legajo* have a numbered duplicate of Croix's, signed with his name and rubric, as the principal document, the others being enclosures and the whole file being directed to the *ministro general de Indias*, Julián de Arriaga. Many lack the serial number and the legally required index, or description, as well, for Croix seems to have been unsystematic in this respect. The bulk of the *legajo*, however, is due to a few unnumbered originals of Croix, with

¹¹ Many of these documents were copied for Dr. H. I. Priestley, for whose volume they served as among the most valuable of his materials.

their enclosures of *testimonios*. While the materials were, in the main, like those of *legajos* 89-6-1 to 24 (presently to be described) in subject-matter, there were sixteen valuable *expedientes*, with a total of seventy-nine documents, most of which treat, in detailed fashion (with diaries, letters, and *estados*), of the sea and land expeditions of 1769 to Alta California. *Legajo* 89-3-23, for the year 1772, contained thirty-two of Bucarely's duplicates, with enclosures, but only two, of slight importance, were entered.

The writer was prompted to investigate *legajos* 89-6-1 to 24 by a hope that he would find additional materials about foreign voyages to the northwest coast in the years covered by the correspondence, 1785 to 1795, and, in particular, some further light on the Nootka affair. In this respect, the *legajos* were disappointing. The numbered correspondence of the viceroys Bernardo de Gálvez, Archbishop Alonzo Núñez de Haro, Flórez, Revilla Gigedo, and Branciforte, and of the *Audiencia* of Mexico acting as viceroy, is very nearly complete; even when missing, its character can usually be determined by the lists of indices of the viceroys' letters, describing all that they wrote, except those marked *reservada*; even the *reservadas* are usually here. Nevertheless, surprisingly little within the range of this *Catalogue*, or even of any wide narrative interest, was found, whether in the letters in ordinary course or in the *reservadas*. There is almost an entire absence of materials touching upon the American southwest. The Pacific coast fares better, owing to the recurrence of letters about the pious fund of the Californias and the Department of San Blas. There are also several *expedientes* about local affairs in Alta California, including the Fages proposal for reopening the route from Sonora.

For routine matters, of a general administrative character, the *legajos* may well have considerable value. As already mentioned in the case of *legajo* 89-3-22, they are made up of the duplicates of the viceroys, with their enclosures, the whole file in each case duplicating that of the original. The action taken in Spain on the *expedientes* is lacking, but it can often be determined by the later answers of the viceroys. In some cases the originals are in these *legajos*, though without the additional documents arising from official attention in Spain,¹² and in three cases both the original and duplicate of a viceroy are present. Some other materials, possibly due to an error in filing, are occasionally found, especially in *legajo* 89-6-18, where there are a num-

¹² Cf. *infra*, note 11.

ber of *testimonios* (not catalogued) about the financial affairs of Guajuato, covering the years 1768 to 1792. Disregarding these materials and the three above-mentioned duplications, there are 1841 *expedientes*, each a viceroy's letter and its enclosures, in the twenty-four *legajos*, of which only forty-six were entered, yielding ninety-eight items. A large proportion of the *expedientes* not catalogued deal with appointments to office, chiefly military appointments, while there is also considerable material about affairs of the city of Mexico and about the church.—NPC

13. **Legajo 91-5-25.** *Virreynato. Expedientes diarios. Años 1770.* This is the first *legajo* in a series of twenty, covering the years 1770 to 1799. It is made up of such matters as petitions of individuals to come to the Americas, of high officials of Mexico asking permission to marry, and of matters pertaining to lawsuits and routine administration. Areche's request for permission to marry was the only document entered.—NPC

14. **Legajo 91-6-17.** *Virreynato. Expedientes Consultados por el Consejo. Años 1772 á 1800.* This is wholly concerned with matters of *real hacienda* for the years 1782 to 1796, most of the *expedientes* (not numbered and in some disorder) relating to the port of Vera Cruz. Nothing was entered.—NPC

15. **Legajo 95-6-7.** *Virreynato. Embarco de tropas á distintos puntos. Años 1765 á 1778.* While of great general value, this *legajo* contained nothing for the present *Catalogue*. It concerned the embarking of troops from Spain, not only to New Spain, but also to Havana, Nicaragua, Lima, and Buenos Aires. One *expediente* is for the year 1761.—NPC

16. **Legajo 95-7-16.** *Virreynato. Fortificaciones. Pertrechos de Guerra, Situados de Tropa y sus Incidencias. Años 1769 á 1770.* This is one of a set containing thirty *legajos* between the years 1721 and 1818. Except for an *expediente* of six documents about Gálvez's work and loss of health while in Sonora in 1769, nothing in this *legajo* was entered. The *legajo* is concerned with routine military matters for central and southern New Spain, more particularly for the cities of Vera Cruz and Mexico. Petitions for promotion or retirement, promotions granted, and monthly reviews of regiments and posts make up almost the entire *legajo*. Among the unentered items are the following: papers about the review of Domingo Elizondo's regiment of *dragones de España*; an *expediente* giving the names and salaries of military engineers of New Spain, including a reference to the promotion of

Miguel Costansó, for his services in the Alta California expedition of 1769; a petition of Diego Parrilla containing documents concerning his services and campaigns in Texas.—NPC

17. Legajo 96-1-11. *Virreynato. Papeles y Planos relativos á la guerra de la Sonora. Años 1767 á 1771.* This is a small *legajo* of less than three hundred pages, containing thirty items, all of which were entered. The greater part of the documents is divided between Armona's accounts of the campaign around the Cerro Prieto and the viceroy's letters to Spain giving the latest news about the war in Sonora.—NPC

18. Legajos 96-1-12 and 13. *Virreynato. Cuentas de la Expedicion á Sonora. Años 1766 á 1775.* The two *legajos* aggregate 3,450 pages of material, nearly all of which relates to the financial accounts of the Sonora expeditions of 1766 to 1771. Some accounts for the Alta California and Nueva Vizcaya expeditions and for the expenses of the Department of San Blas, in the same documents with the Sonora accounts, also appear, for activities in these regions were regarded as falling within the same general plan. The value of the whole is very great. Many of the *testimonios* of the two *legajos* duplicate each other. The majority are dated 1776 and 1777, when the accounts were completed. All of the documents were entered, yielding ninety items.—NPC

19. Legajos 97-4-5 and 6. *Eclesiastico. Expedte. sobre liquidacion de cuentas y venta de fincas del fondo piadoso de Misiones de California. Años 1805.* The two *legajos* may be taken as comprising one *expediente*, with a total of 136 items, all of which were catalogued. The documents are not for the date given above, but range between 1766 and 1797. The specific question giving rise to the *expediente* first appears in 1771, although there are some inventories of Jesuit goods of prior date. The issue raised was whether a sum of 136,184 pesos, expended on the expeditions of 1769 to Alta California, should be charged to the pious fund of the Californias or to *real hacienda*. Out of this came a discussion whether the pious fund should continue to be administered separately by the *Juzgado de Temporalidades* or whether it should become a branch of *real hacienda* and have its estates sold. The latter course was decided upon in 1781, but the law seems not to have been executed for several years. The above is the principal content of *legajo* 97-4-5. The documents of *legajo* 97-4-6 relate to the sale of the above-mentioned estates and the status of the pious fund after it became a branch of *real hacienda*, but most of the items cover

matters of routine administration of the fund. In both *legajos* there is much material of value incidental to the main theme, of which a number of *estados* showing receipts and disbursements of the pious fund for 1767 to 1792 are perhaps the most noteworthy items.—NPC

20. **Legajo 103-3-6.** *Registros de oficio. Reales ordenes dirigidas á las autoridades del distrito. Años 1745 á 1766.* This is the last of a set of six *legajos* for the years 1554 to 1766. The *legajo* investigated was composed of two bound volumes, for respectively 1745 to 1758 and 1758 to 1766. Each contains copies of royal orders to the viceroys, the *Audiencia* of Guadalajara, officials of the cathedral at Guadalajara, and to others, with reference to affairs within the region embraced by the jurisdiction of the *Audiencia* of Guadalajara. The subject-matter varies, from the most general in character, to orders respecting particular individuals. Thirty such royal orders (entered separately) were catalogued. They dealt with Indian wars in Pimería Alta, the Spanish projects of conquest toward the Gila and Colorado rivers, and Spanish fears of French intrusions in Texas in the years preceding the cession of Louisiana to Spain.—NPC

21. **Legajo 103-3-10.** *Yndice de Cédulas y Reales Ordenes. Años 1760 á 1805.* The real dates of the *Índice* are 1670 (not 1760) to 1774, although there are a few separate documents running to the year 1805, one of which, an item about Texas, was the only entered document of the *legajo*. The principal part of the *legajo* is the *Indice*, which may be best described by copying its title: *Indice de las Cédulas mas particulares expedidas de oficio, y á instancia de Partes—al Distrito de la Audiencia de Guadalaxara desde el año de 1670 hasta el tiempo presente; sacado de los Libros de Registro . . . y puesto en orden alfabético, arreglado a las materias de que tratan . . . Por Martin Osorio . . . Año de 1774.* The alphabetical arrangement of subject-matter contains descriptions, similar to those in the items of the present *Catalogue*, giving the gist of each *real cédula*. There were six such items between 1688 and 1721 under the heading "Californias". There is no indication of the *legajo* in which the *cédulas* themselves are to be found.—NPC

22. **Legajos 103-3-12 and 13.** *Consultas, Decretos y ordenes originales.* These were two of a set of nine *legajos* for the years 1760 to 1821. *Legajo* 103-3-12 was for 1765 to 1771, and *legajo* 103-3-13 for 1772 to 1781. The greater part of these *legajos* consists of the recommendations of the Councils of the Indies to the king, accompanied by the opinions of the *fiscal*, without other documents, thus enabling one to get at

once to the meat of a matter. Both are originals. The *legajos* are in admirably good order, the *expedientes* being grouped by years and numbered consecutively within each year group. In addition to the principal class of *expedientes* there are some called (in *legajo* 103-3-12) *Consultas sobre materias seculares*, made up primarily of the correspondence within the Council itself, but occasionally including also the documents upon which action was based.

Legajo 103-3-12 yielded nineteen items of minor importance. Among unentered *expedientes* was one of 1768 arising from Gálvez's order to the *Audiencia* of Guadalajara prohibiting it from hearing cases of fraud in connection with the levy of the *alcabala*, and two respectively of 1769 and 1770, about a Frenchman of Guadalajara named Pedro Molina and a Portuguese of Cucula named Joseph Mederos, arising from petitions of these foreigners that they be allowed to remain in the Spanish colonies. *Legajo* 103-3-13, yielding sixteen items, proved of great value, owing to the bulk and importance of two of the entries, respectively 2,906 and 3,293 in the *Catalogue*. Other noteworthy Alta California materials deal with the pious fund and with the proposed *custodia* of San Gabriel.—NPC

23. *Legajo* 103-3-21. *Remisiones al Consjeo, Camara, y Ministros. Años 1737 á 1800*. The idea in the formation of this *legajo* seems to have been to bring together the drafts of letters of the *ministros generales* remitting materials to the Council of the Indies for action. As a rule, the other documents of the *expediente* do not appear, although in some cases, usually of minor interest, they are present. Were the file complete, it would be of very great importance, because of the range of the subject-matter, despite the lack of detail—nothing but the summary in the remitting letter. For many years, however, (1738-1744, 1747, 1748, 1750-1755, 1757, 1758, 1760-1762, 1765) there were no such letters; in very few years were there more than ten; and, in any event, the drafts for the more important matters do not seem to have been filed here. Nevertheless, a number of documents not found in other *legajos* were indicated here, and twenty-four items were entered. In the case of materials dealing with Bishop Reyes's difficulties in connection with the *custodias* of San Gabriel (Alta California), Sonora, and New Mexico, the accompanying documents are present. Possibly the most important of the material not catalogued was the complete file, dated 1798, of documents giving most ample statistical data for the intendancy of Guadalajara. The case of the Frenchman, Pedro Molina, referred to in the description of

legajo 103-3-12, is also well documented here. Another *legajo* in this set, namely, *legajo* 103-3-22, for the years 1801 to 1821, was not examined for cataloguing.—NPC

24. Legajos 103-3-24 and 25. *Ynformes sobre el estado de las Provincias Ynternas por su comandante general D. Teodoro de Croix. Años 1781 á 1782.* These two *legajos* contain some of the most important materials discovered by the present writer, especially *legajo* 103-3-24, of over three thousand pages, in which appear certain memorials, heroic in size and equally valuable, by Teodoro de Croix. Three of these memorials (catalogued at numbers 4,082, 4,430, and 4,568) represent perhaps the most thorough statement with regard to the region of the Provincias Internas, especially as regards Indian warfare, that ever was made. While Sonora, Nueva Vizcaya, and Coahuila occupy the major part of the space, the entire area of his government, from the Californias to Texas, comes in for an illuminating discussion by Croix. There are but nine documents in the *legajo*. Croix's letter, number 788, and its two enclosures, dealing with the militia of Saltillo and vicinity, were not entered. None of the documents in *legajo* 103-3-25 were catalogued, although the materials are important in their relations to the Spanish line of advance to Texas. The entire *legajo* (over two thousand pages in length) is a single *expediente*, of which the principal document is Teodoro de Croix's letter, number 835, to José de Gálvez, enclosing four *carpetas*, of which the first (the bulk of the *legajo*) is divided into four *cuadernos*. The documents are wholly about military affairs in Coahuila and the adjacent parts of Texas, during the period of Ugalde's rule in Coahuila, dealing principally with Ugalde's campaigns against the Mescaleros Apaches.—NPC

25. Legajo 103-3-26. *Padrones de matriculas de familias pobladoras. Años 1777 á 1804.* While nothing in this *legajo* was entered, the material is decidedly important in itself. Most of the *legajo* is made up of *padrones*, or census reports, of the year 1777. The *padrones* are nearly all for the province of Guadalajara (not the entire area embraced by the jurisdiction of the *Audiencia*), although they also exist for the cities of Culiacán, Durango, and some others. They cover all householders and their families and servants, giving the age and blood (Spanish, mulatto, "coyote", Indian) of each person. Among the few other documents of the *legajo* is a representation concerning the province of Guadalajara, giving most detailed data concerning geographical, political, military, financial, commercial, agricultural, mining, stock-raising, and industrial affairs of the province of Guadalajara. This document is dated September 6, 1804.—NPC

26. Legajo 103-3-28. *Provisiones de Empleos Politicos y Militares Años 1761 á 1794.* This is the first *legajo* in a set of two, the second being for the years 1795 to 1804. The title and dates of the *legajo* aroused hopes that were doomed to disappointment. The military appointments were comparatively few; those of officials of the *Audiencia* of Guadalajara, *alcaldes*, and treasury and custom officials filled most of the *legajo*. By no means all of the appointments are included; there are none for 1762 and 1763, [due to the war?] although other years are at least represented. Ten items were entered.—NPC

27. Legajo 103-4-4. *Confirmacion de oficios vendibles y renunciabiles. Años 1766 á 1773.* This is one of a set of six, for the years 1760 to 1799, dealing with royal confirmations in the case of offices that were salable and renunciabiles. The offices concerned were those of notary and *regidor* in towns within the jurisdiction of the *Audiencia* of Guadalajara, but not, as a rule, in that city itself. Nothing was entered.—NPC

28. Legajos 103-4-9 and 10. *Correspondencia con el Comandante general de las Provincias Internas.* *Legajo 103-4-9* is for the years 1760 to 1782, and *Legajo 103-4-10*, for 1782 to 1802, but the inclusive dates are not strictly observed. A third *legajo*, covering to the year 1821, was not examined. The two *legajos* yielded 187 items for the *Catalogue*, including materials concerning the founding of settlements in Alta California during the Neve régime, and such important items as those numbered 3,965, 4,912, and 5,194 in the *Catalogue*. In general, however, the documents are not of a noteworthy character. Not a few presidial appointments are included. The uncatalogued *expedientes* are principally concerned with events in Nueva Vizcaya, together with a lesser number for the other eastern provinces just south of the present American border. In this group are documents dealing with the Indian wars of the Bolsón de Mapimí and elsewhere, some census reports (*e.g.*, one for Coahuila in 1778, showing the population according to differences in blood, enumerating the arms and livestock the people had, and giving data about the fertility of Coahuilan soil), an *expediente* based on a letter of Croix's stating why he was remaining in Nueva Vizcaya (instead of going to Sonora, as ordered), material about the status and rank of the *compañías volantes*, a review of Río Grande presidio, and other *expedientes* of a like character. Attention may be called to the large number of indices of letters written by the *comandantes generales*, especially in *legajo 103-4-10*; in this respect, the file approaches completeness. A document in *legajo 103-4-10*

about the gold and silver output of Chile seems to have been placed there by mistake.—NPC

29. **Legajos 103-4-12 to 14.** *Corresponda. con el Comandante general de las Provincias Ynternas D. Teodoro de Croix.* *Legajo* 103-4-12 is for 1779, and each of the other two *legajos*, for 1782. In the case of the first *legajo*, the year is that of letters by Croix (and a number by Bucarely and the president of the *Audiencia* of Guadalajara) in New Spain; in the other two *legajos* it is the date of Gálvez's replies from Spain, while most of Croix's letters are for the years 1779 to 1781. The basis for entry in cataloguing these *legajos* was restricted to items bearing upon Alta California and the approaches thereto, with a yield of 185 items. Among these documents, there is much material about Neve's activities for an increase in the number of settlers and settlements in Alta California, with indications of the progress achieved by the missions and *pueblos* that were founded. Papers about Anza's discovery of a route from New Mexico to Sonora and others about the insubordination of the troops at Terrenate, as a result of the treatment accorded them in the matter of purchasing supplies, are noteworthy items. If material for Texas and provinces of the Provincias Internas contiguous to it had been included, the number of entered items would have been more than doubled, and many interesting documents would have been added. There is a great deal about Apache warfare in Coahuila and Texas and local materials for San Sabá, Paso del Norte, and various posts along the southern bank of the Río Grande. Another type of *expediente* of frequent appearance is that of the *últimas noticias* (latest news) letters, many of which were entered, about Indian warfare in the Provincias Internas during the preceding month, with an indication of the losses incurred and inflicted, by the Spaniards and Indians respectively.¹³—NPC

30. **Legajos 103-4-15 to 24 and 103-5-1 to 13.** *Duplicados de Comandantes generales de las provincias Ynternas.* These twenty-three *legajos*, dating from 1771 to 1802, form part of a set of which there are five more *legajos*, for the years 1803 to 1821. In no group were the rules for exclusion of material from the *Catalogue* more rigorously

¹³ Many of the documents in *legajo* 103-4-12 were nearly as solid and hard as wood when found by the writer. They appear to have become water-soaked, and then to have remained perhaps a hundred years or more before they were opened, by the writer, for examination. Once the stiffness had been taken out, they were as pliable as most other manuscript material, but the writing was all but illegible.

applied. Only such documents as referred to the Californias or had a very direct bearing on the affairs of Alta California were entered. Thus, material for New Mexico and Texas (except in *legajos* 103-4-15, and 16) was not entered, unless it appeared in documents referring to the Californias. Down to 1783, Sonora materials were entered liberally, but after that date, when the Spanish advance by way of the Gila and Colorado rivers had in fact stopped, the Sonora documents were omitted.

Legajos 103-4-15 and 16 are to be regarded separately from the others of the set. Of fifty-two items that were entered, comprising most of the two *legajos*, one is an "*estado*" showing the condition of the frontier presidios in 1771, except those of the Californias and Nuevo Santander; another is the printed decree establishing a line of frontier *presidios*; and the other fifty, the basis for the two just named, are *testimonios* covering the inspection of the frontier presidios by the Marqués de Rubí in the years 1766 to 1768. All are dated 1771, the year the *testimonios* were made up, but the various documents within the *testimonios* are for the years of the Rubí inspection. Among the few unentered materials, there is one *expediente* of 1777, based on reports of Governor Barry of Nueva Vizcaya, reciting the misfortunes of his province as a result of Indian wars; one *estado* in this *expediente* shows the losses by each *alcaldía* in men and property since 1771.

The *duplicados* proper begin with *legajo* 103-4-17 of the year 1778. Just as in the case of the already described *duplicados* in the "Audiencia of Mexico" group, the general comment for which applies, they are made up principally of the numbered duplicates (and their enclosures) in the series of the letters of the *comandantes generales* of the Provincias Internas to the *ministros generales* in Spain.¹⁴ They are of unquestionable importance (despite the lack of the drafts of replies from Spain) for the affairs of the Provincias Internas during practically the entire period in which they formed a *comandancia general* in a measure distinct from the viceroyalty of New Spain. Not a few letters in the numbered series are missing, but it is often possible to determine what they deal with, through the presence of *indices* of the correspondence for a given month's mail. In three *legajos* (103-4-19, 103-5-4,

¹⁴ As in the case of the Audiencia of Mexico, a number of documents appear to be the original, instead of the duplicate. One wonders if it were not due, in many instances, to the failure of a clerk to write a "D" on the document, since that is the only way in which these materials differ from originals. There are not a few triplicates instead of duplicates.

and 103-5-7) there are *expedientes* based on letters of intendants to the authorities in Spain; in two (103-5-7 and 8), of the president of the *Audiencia* of Guadalajara; in two (103-5-4 and 103-5-7), of various individuals, particularly ecclesiastical officials; in four (103-5-8 to 10 and 103-7-12), based on unnumbered letters of Ugarte; and in one (103-5-9), on the unnumbered letters of Nava. Beginning with *legajo* 103-4-17, there were 1,060 *expedientes* in the numbered letter series of the *comandantes generales*. From a regional standpoint they deal most prominently with the provinces from Sonora to Coahuila. Texas fares well—Alta California and New Mexico, less so. In all, 150 *expedientes*, or portions of them, with 459 documents, were catalogued.

Among outstanding entered materials may be mentioned the following: duplicates of Croix's voluminous memorials already referred to in the description of *legajo* 103-3-24; the acts of the *junta de guerra* held by Croix at Chihuahua in 1778, about military policies for the Provincias Internas; various *expedientes* about Neve's activities in Alta California in founding new settlements, and in preparing and putting into execution a new *reglamento*; *expedientes* about the progress of the settlements founded by Neve, especially San Jose and Los Angeles; the reviews of Alta California presidios; various *expedientes* about the founding of Spanish settlements at the junction of the Gila and Colorado rivers, the Yuma disaster of 1781, the ensuing campaigns against the Yumas, and the abandonment of the land route to Alta California; Neve's instructions to Fages, who succeeded him as governor of the Californias; the important *estado* catalogued as number 4828; and the *expediente* of the successful Zúñiga expedition to discover a route between New Mexico and Sonora.

The unentered material includes numerous *expedientes* about Indian warfare, not only in Nueva Vizcaya and Coahuila, but also against the Apaches in Texas, the Comanches in New Mexico, and (after 1783) the Seris and Apaches of the Gila in Sonora. There is also much local material for Paso del Norte, San Antonio de Bexar, San Sabá, and other places within or near the present American boundary in New Mexico and Texas. Among other items, the following may be noted: service sheets, in each of several years, of all the military officials of the frontier, including governors, adjutant inspectors, captains, lieutenants, *alférezes*, sergeants, *cadetes*, and adjutant majors of militia, of which only those of men known to have had a direct connection with Alta California history were entered; reviews of presidios other than those of Alta California; twelve *expedientes* (in *legajo* 103-4-23) about

the formation of militia companies in Nueva Vizcaya, and the questions arising therefrom; and an *expediente* of 1795, of about six hundred pages, dealing with religious affairs in New Mexico.¹⁵—NPC

31. **Legajo 103-5-20.** *Correspondencia con los Gobernadores, Intendentes de Nueva Vizcaya y otras Provincias Internas. Años 1735 á 1821.* This is a poorly organized *legajo*, with material for all of the frontier provinces, but mostly concerned with Sonora and Durango. The principal basis of the *expedientes* is the correspondence of the governors and intendants directly with the authorities in Spain. The *legajo* deals primarily with petitions for promotion, and appointments to office. Occasionally, important matter of a general nature appears relative to these appointments, as in the case of the proceedings of the *junta de guerra* that considered Gallardo's notable report about conditions in Sonora, in which Gallardo recommended the opening of land communication with the Californias from Sonora; this comes up in connection with the appointment of Diego Parrilla as governor of Sinaloa and Sonora. The *legajo* is by no means inclusive of the correspondence of the governors and intendants, only a few of whom are represented at all. Thirty-one items were entered. There is considerable material about Indian affairs in Durango which is perhaps the most noteworthy of the uncatalogued documents. Two similar *legajos*, not examined for cataloguing, are 103-5-19, described as containing the correspondence of the governors and intendants of Nuevo León, New Mexico, and Nuevo Santander from 1730 to 1821, and 103-5-21, similarly for Coahuila, Durango, and Texas from 1738 to 1821.—NPC

32. **Legajo 103-5-25.** *Correspondencia con los Presidentes de la Audiencia. Años 1734 á 1805.* Like the *legajo* just described, this too in no sense approaches completeness within the terms of its description. There are letters of the presidents of the *Audiencia* of Guadalajara between the years named, with also some letters of prior, and some of later, date; but presumably the correspondence in the *legajo* is a very small fraction of the entire amount for the period covered, most of the years containing none whatever. An interesting feature of the *legajo* is the light it throws on the acquisition of the presidency of the *Audiencia*, since petitions for that post and appointments to it form a large part of the material in the *legajo*. The office was purchasable, the usual price being 24,000 *pesos fuertes* for a term of eight years. The pos-

¹⁵ One *expediente* in *legajo* 103-5-3, based on Croix's letter, number 939, bore the marks placed on a file when it is removed (usually for copying) from a *legajo*.

essor might fill the post himself, name somebody else to serve in his place, or even bequeath his title to an heir. Not only were single terms sold, but also the reversion after the expiration of a first or even a second term. There is also much material of a more general character for affairs within the area of the jurisdiction of the *Audiencia*. The only entered material was an *expediente* of thirteen documents for the years 1740 to 1744, dealing with the activities of the Marqués de Aysa to protect the west coast against the English expedition of Anson and any other English ships which might appear.—NPC

(To be concluded)

CHARLES E. CHAPMAN.

NOTES

Edwin M. Borchard, in his *Guide to the Law and Legal Literature of Argentina, Brazil and Chile*, which was published by the Library of Congress in 1917, is the fourth in the series of "Guides to Foreign Law". Professor Borchard, formerly the Law Librarian of the Library of Congress and now Professor of Law in Yale University, declares this volume to be the "result of studies made in the foreign law collections of the Libraries of Congress and in Argentine, Brazil, and Chile". Help is acknowledged from Dr. José León Suárez, and other members of the Faculty of Law of the University at Buenos Aires; Dr. Rodrigo Octavio and Senator Ruy Barbosa, of Rio de Janeiro; and Sr. D. Carlos Silva Cruz and Dr. Julio Philippi of Santiago de Chile. The volume is enriched with many footnotes. In his introduction, Professor Borchard notes that each of the three countries "has produced one remarkable codifier, Dalmacio Velez Sarsfield, in Argentina, Augusto Teixeira de Freitas, in Brazil, and Andrés Bello, in Chile". This volume calls to mind, Thomas W. Palmer, Jr.'s *Guide to the Law and Legal Literature of Spain*, which was published in 1916 as the third volume of the above-named series. In his introduction to this volume, Professor Borchard, under whose directions it was compiled, says: "In the insular possessions of the United States we have been brought into intimate contact with Spanish law and are there witnessing one of those curious and interesting phenomena of legal history, the blending of two systems of

law. In Spanish-America, which socially, industrially, and commercially is awakening a constantly growing interest on the part of the United States, the seed laid by the Spanish colonizers has continued to germinate and flourish long after political control ceased. The present guide, indeed, is intended to constitute the foundation for a *Guide to the Law and Legal Literature of Latin America*, which is now in course of preparation”.

Charles Lyon Chandler's recent “second edition extended” of his *Inter-American Acquaintances*, “aims to furnish proofs for the two following statements:

“(1) That the moral and material aid and example of the United States were a factor in the Latin-American wars for independence.

“(2) That during that time, as well as previously, much was spoken and written by both North and South Americans which forecasted the Pan-American movement, embodying the fundamental ideas on which the Pan-American Union is based.”

Commerce Reports issued daily by the Bureau of Foreign and Domestic Commerce of the Department of Commerce contains many interesting and important items in regard to Hispanic America. These are generally commercial in tone, but will be of decided use to the historian of contemporary events, and to the political scientist, as well as to the economist; and its collected files will prove of inestimable value in the future.

Dr. Clarence Henry Haring's new book, *Trade and Navigation between Spain and the Indies in the Time of the Hapsburgs*, contains a great deal of useful information here brought together in concrete form. The volume contains twelve chapters and ten appendices. The chapter on “Registers and Customs” will be found of use, and the entire volume will be a good addition to the shelves of the historical student of Hispanic America. The preface is followed by a bibliographical list. This work will be extensively discussed in a later issue of this REVIEW.

The Pan American Union has lately published three pamphlets of interest. These are as follows:

Brazil the Extraordinary. By John Barrett. This is a reprint from the *South American*, for December, 1916. Pp. 7.

Latin America. General Descriptive Data. Washington, Government Printing Office, 1917. Pp. 47.

Rio de Janeiro the Fair Capital of Brazil. By Edward Albes of the staff of the Pan American Union. Washington, Government Printing Office, 1917. Pp. 24.

The first discusses briefly "Brazil's splendid possessions"; "Rio—an example of Brazil's progress"; "Climate misunderstood"; "Resources extensive and enormous"; "Bond-buying public must be educated"; "United States money essential"; "A central clearing house—the Pan American Union". The second contains a brief description of all the Hispanic American countries, and will be of service to the busy man. The third pamphlet, which is well illustrated is a good description of the capital of Brazil.

The development of the British West Indies, 1700-1763, by Frank Wesley Pitman, recently issued from the Yale University Press, while mainly connected, as its title indicates, with the exploits of the British, contains many interesting and valuable references to the Spaniards and the Spanish colonies. This book will be reviewed in a future number of the REVIEW.

Mr. P. Lee Phillips, Chief of the Division of Maps, Library of Congress, will shortly publish a work entitled: "Bernard Romans, his biography and bibliography", with a reproduction of the only known copy of his large map of Florida, 1774, which was to accompany his "Concise Natural History of *East and West Florida*". The only copy that has come to light is in the Library of Congress and is an indispensable addition to his work above-mentioned. Bernard Romans is supposed to have left a journal of his life and also the manuscript to the second volume of his *Florida*, which Mr. Phillips has been unable to trace. Any information relating to any of Romans's manuscripts would be a most interesting addition to the data which Mr. Phillips has already collected.

Vicente G. Quesada's recent book *La Vida Intelectual en la América durante los Siglos XVI., XVII., y XVIII.* (Buenos Aires, 1917), has an introduction by Horacio Ramos Mejía. This book was previously published in 1910, from the *Revista de la Universidad*. It is an intensive study of the cultural history of the Spanish-American colonies, containing a general chapter on colonial legislation on the publishing

and sale of books. This is followed by chapters on instruction and intellectual production in Mexico, Guatemala, New Granada, Peru, Rio de la Plata, and Chile.—C. K. JONES.

A small volume published at Caracas, and bearing the imprint "Talleres de linotipo de 'El Universal' ", namely *Poema del Teniente Coronel y Licenciado Gaspar Marcano y Otras Producciones Patrioticas de 1816 y 1817 relativas a la Guerra de Independencia de Margarita*, has a greater historic than literary value. The poems relate to the defense of the Island of Margarita against the Spanish army commanded by General Morillo in 1816 and 1817. Various explanatory notes have been added by the editor of the volume, whose signature is appended to the "Noticia Preliminar". This is M. S. Sanchez, who is a member of the Academy of History of Venezuela, and has published a very important volume on the bibliography of that country in the XIX. century which is enriched with many valuable notes. Sr. Sanchez has also published other important works

The February (1918) number of the *Revista de Derecho, Historia, y Letras*, contains important contributions by the well known scholars Oliveira Lima, V. M. Robles, and M. Vásquez. The first-named has a paper on England and Germany; the second, on "The policy of the United States in America, and the War"; and the third on the proposal of Honduras for a Union of Central America.

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- Ameghino, Florentino: *La Antigüedad del Hombre en el Plata*. Buenos Aires, 1918. Pp. 350.

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